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JOURNAL

OF THE

House of Representatives

OF THE

EIGHTH SESSION OF THE GENERAL ASSEMBLY

OF THE

STATE OF IOWA;

CONVENED AT THE CAPITOL, AT DES MOINES, ON MONDAY, THE 9TH
DAY OF JANUARY, A. D. 1860.

DES MOINES, IOWA:
JOHN TEESDALE, STATE PRINTER.

1860.

JOURNAL OF PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES;

CONVENED AT THE CAPITOL, ON MONDAY, THE NINTH
DAY OF JANUARY, A. D. 1860.

HALL OF HOUSE OF REPRESENTATIVES, }
Des Moines, January 9, 1860, 2 o'clock, P. M. }

The hour prescribed by law for the meeting of the General Assembly having arrived, Mr. Goodrell, a person claiming to be a member, called the House of Representatives to order, and upon his motion, Hon. J. O. Curtis of Marion county, was elected Speaker, *pro tem*.

On motion of Mr. Wright, Wm. P. Hepburn of Marshall county, was elected Chief Clerk, *pro tem*.

On motion of Mr. Caldwell, J. M. Newbold of Davis county, was elected Assistant Clerk, *pro tem*.

On motion of Mr. Goodrell, E. R. Clapp of Polk county, was elected Sergeant-at-Arms, *pro tem*.

On motion of Mr. Caldwell, John Watson of Polk county, was elected Fireman, *pro tem*.

On motion of Mr. Gue, Enoch Ross of Sac county, was elected Door-keeper, *pro tem*.

Mr. Beal moved that the Representative Districts of the State be now called, and that the members elect of this House present to the Clerk their credentials, which motion prevailed. Whereupon the roll of districts was called, and the credentials of members presented.

Mr. Beal moved that a committee of five be appointed by the Chair to examine the credentials of persons claiming to be members of this House, and report who are entitled to seats.

Mr. Bereman moved to amend the motion as follows:

Resolved, That Stewart Goodrell of Polk, Rush Clark of Johnson, S. B. Rosecrans of Hamilton, Justis Clark of Des Moines and J. E. Williamson of Warren, be appointed a committee to examine

and report upon the credentials of persons claiming seats in this House. Which amendment was accepted, whereupon the motion prevailed.

On motion of Mr. Wright, the House then adjourned until to-morrow morning at 10 o'clock.

HALL OF HOUSE OF REPRESENTATIVES,
Tuesday, January 10, 10 o'clock, A. M. }

House met pursuant to adjournment.

On motion of Mr. Goodrell, Rev. Mr. Teeter opened the House with prayer.

The Journal of yesterday was read, corrected and approved.

Mr. Goodrell, from the committee on credentials, made the following report :

The committee to whom was referred the certificates of membership of persons claiming seats in this House, beg leave to report that they find the following named persons entitled to seats as members.

1st	DISTRICT	—N. G. Hedges, E. S. McCollough, T. W. Claggett, C. J. Price.
2nd	"	—John M. Whitaker, H. C. Caldwell.
3rd	"	—Harvey Dunlavey, M. Hotchkiss.
4th	"	—Frederick A. Stephens.
5th	"	—Hartley Bracewell.
6th	"	—R. D. Kellogg.
7th	"	—Reuben A. Moser.
8th	"	—R. F. Conner.
9th	"	—M. W. Robinson, Justus Clark, J. C. Hall.
10th	"	—Alva H. Bereman, A. J. Withrow.
11th	"	—Matthew Clark, W. W. Cottle.
12th	"	—J. C. Mitchell, James Doggett.
13th	"	—L. O. Haskall.
14th	"	—John Edwards.
15th	"	—John L. Millard.
16th	"	—R. W. Macomber.
17th	"	—Washington Darling.
18th	"	—John W. Williamson.
19th	"	—Michael Price, Geo. U. Shipman.
20th	"	—Matthew Moorhead, Robert Glasgow.
21st	"	—H. Campbell, G. P. Elias.

22d	DISTRICT—	Michael Staunton, Thomas A. Barnes.
23d	"	—
24th	"	—J. E. Williamson.
25th	"	—Thomas D. Jones.
26th	"	—Samuel H. Riddle.
27th	"	—James Quinn, William H. F. Gurley, Benj. F. Gue.
28th	"	—N. B. Baker. Geo. W. Parker.
29th	"	—Ed. Wright.
30th	"	—Rush Clark, George T. Davis.
31st	"	—H. B. Lynch.
32d	"	—A. M. Cowing.
33d	"	—E. M. Davis.
34th	"	—Stewart Goodrell.
35th	"	—Leroy Lambert.
36th	"	—D. M. Harris.
37th	"	—B. McCollough, Wm. H. Reed.
38th	"	—John Taylor.
39th	"	—Amos Witter, Jennings Crawford.
40th	"	—James McQuinn.
41st	"	—Abraham Tompkins.
42d	"	—William Bremner.
43d	"	—S. B. Rosenkrans.
44th	"	—Cornelius Beal.
45th	"	—J. W. Dennison.
46th	"	—F. A. Gniffke, J. H. Williams, F. Mangold, John D. Jennings.
47th	"	—John W. LeLacheur.
48th	"	—George W. Bemis.
49th	"	—Zimri Streeter.
50th	"	—David Hunt.
51st	"	—Samuel Rees.
52d	"	—S. R. Peet, Samuel Merrill,
53d	"	—L. C. Noble, ———.
54th	"	—George W. Ruddick.
55th	"	—Chauncey Gillett.
56th	"	—Charles Paulk.
57th	"	—Amos Hoag.
58th	"	—E. G. Bowdoin.
59th	"	—D. D. Sabin.
60th	"	—Patrick Robb.
61st	"	—John E. Blackford.

Your committee beg leave to add that J. C. Curtis and M. B. Bennett, of Marion county, are present and claim to have been duly elected to represent the 23d District, and that from information had by the committee they are satisfied that the persons named were so elected, although they appear here without certificates of election. The same having been neglected by them, the

committee recommend that said persons be allowed to take their seats as members of this House.

(Signed)

STEWART GOODRELL.

On motion of Mr. Taylor, the report was received and adopted.

On motion of Mr. Taylor, the members were called in their regular order and the oath prescribed by the constitution administered by the Speaker *pro tem*.

Mr. Baker administered the oath to the Speaker *pro tem*.

Mr. Beal moved that the rules of the last House of Representatives of this State be adopted by the present House until others may be adopted.

Mr. Bereman moved to amend by adding, "and that the Chief Clerk be requested to furnish to each member a copy of said rules." Amendment adopted and Resolution as amended adopted.

Mr. Withrow moved that the House now proceed to the election of permanent officers. Carried.

Mr. Rosenkrans offered the following resolution:

Resolved, That we deem it expedient to reduce the *per diem* heretofore paid officers of this House. That the pay of Chief Clerk shall not exceed five dollars per day. Assistant, Enrolling and Engrossing Clerks shall not exceed three dollars per day.—Seargent-at-Arms shall not exceed three dollars per day. Door-keeper and Fireman shall not exceed two dollars per day, and Messenger and Paper-folder shall not exceed one dollar and fifty cents per day.

Mr. Claggett offered the following as a substitute:

Resolved, That no officer of this House shall receive a greater compensation for his services per day, than the members of this House, except the Chief Clerk. That the Chief Fireman shall receive two dollars per day. Assistant Fireman one dollar and fifty cents per day. And the Chief Clerk shall receive four dollars per day.

Mr. Goodrell arose to a point of order. The Chair decided the resolutions and substitute out of order.

The House then proceeded to the election of Speaker.

Mr. Witter nominated Hon. John Edwards, of Lucas county.

Mr. Kellogg nominated Hon. N. B. Baker, of Clinton county.

Thereupon a ballot was had with the following result:

Whole number of votes cast.....	84
Mr. Edwards received.....	48
“ Baker “.....	34
“ Claggett “.....	1
“ Witter “.....	1.

Mr. Edwards having received a majority of all the votes cast was declared duly elected Speaker of the House.

The Chair appointed Mr. Claggett, of Lee, and Mr. Dennison, of Crawford, a committee to conduct the Speaker to the Chair.

On taking the Chair Judge Edwards addressed the House as follows :

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES :—In selecting myself as the organ to preside over the deliberations of this Assembly, I return you my sincere and grateful acknowledgments for this act of your partiality and regard for the honor conferred.

In order to maintain the dignity of this body, and to discharge with promptness and fidelity the duties imposed upon us by our common constituency, it is necessary that good order and decorum should be observed.

I shall endeavor to enforce the rules you may adopt for our government, with impartiality, and rely upon your kind indulgence and co-operation to assist me in preserving good order.

We are now ready to proceed to business.

The House then proceeded to the election of Chief Clerk.

Mr. Rosenkrans nominated Charles Aldrich, of Hamilton county.

Mr. Dunlavy nominated James Pollard, of Davis county, whereupon a ballot was taken with the following result :

Whole number of votes cast.....84

Of which Charles Aldrich, received.....50

James Pollard received.....34

Mr. Aldrich having received a majority of all the votes cast, was declared duly elected Chief Clerk of the House.

The House then proceeded to the election of an Assistant Clerk.

Mr. Cowing nominated George Cowie, of Poweshiek county.

Mr. Peet nominated Mr. Kribbs, of Clayton; whereupon a ballot was taken, with the following result :

Whole number of votes cast.....83

George Cowie received.....49

Kribbs received.....34

George Cowie having received a majority of all the votes cast, was declared duly elected 1st Assistant Clerk of the House.

Mr. Witter moved that the House proceed to elect a 2d Assistant Clerk.

Mr. Bennett moved to lay the motion on the table, and demanded the yeas and nays, which were ordered, with the following result :

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Campbell, Clark of Jefferson, Clark of Des Moines, Olaggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Harris, Hedges, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Morehead, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren, Withrow, and Mr. Speaker—45.

The nays were—Messrs. Bowdoin, Barnes, Blackford, Bemis,

Bremer, Caldwell, Clark of Johnson, Davis of Johnson, Dennison, Goodrell, Gue, Gurley, Haskall, Hoag, Hotchkiss, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Moser, Noble, Parker, Price of Muscatine, Quinn, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Witter, Wright—38.

Absent, or not voting—Messrs. Hall and Wright.

The motion to lay on the table, prevailed.

The House proceeded to the election of Sergeant-at-Arms.

Mr. Bennett nominated Mr. Ely.

Mr. Goodrell nominated E. R. Clapp, of Polk county; whereupon, a ballot was taken, with the following result:

Whole number of votes cast85

E. R. Clapp received50

Mr. Ely received35

E. R. Clapp having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

The House then proceeded to the election of Engrossing Clerk.

Mr. Ruddick nominated William Tucker, of Chickasaw county.

Mr. Beal nominated John A. Hull; whereupon a ballot was had, with the following result:

Whole number of votes cast84

William Tucker received49

John A. Hull received35

William Tucker having received a majority of all the votes cast, was declared duly elected Engrossing Clerk.

Mr. Blackford moved that the House proceed to the election of Enrolling Clerk.

Mr. Baker moved as a substitute for the motion, "that the election of Enrolling Clerk be referred to the Committee on Enrolled Bills;" and on this question, the yeas and nays were demanded by Mr. Bennett, and resulted as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—35.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremer, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—49.

Absent, or not voting—Messrs. Hall and Wright.

Amendment lost.

Original motion taken up and carried.

The House proceeded to the election of Enrolling Clerk.

Lewis H. Smith was put in nomination by Mr. Blackford; Bacon was also put in nomination, by Mr. Robb; whereupon a ballot was taken, with the following result:

Whole number of votes cast.....	84
Lewis H. Smith received.....	50
— Bacon received.....	34

Lewis H. Smith having received a majority of all the votes cast, was declared duly elected Enrolling Clerk of the House.

Mr. Beal moved to adjourn. Motion lost.

Mr. Dennison moved that the House now proceed to the election of two Firemen.

Mr. Clark, of Des Moines, moved to amend by striking out two, and inserting one; and, on this question the yeas and nays were ordered by Mr. Bennett, with the following result:

The yeas were—Messrs Baker, Beal, Bereman, Bracewell, Bennett, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Curtis, Daggett, Dunlavy, Ellis, Glasgow, Haskell, Harris, Hedges, Hotchkiss, Jones, Le Lacheur, McCullough of Jackson, McCullough of Lee, Morehead, Moser, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—37.

The nays were—Messrs Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Gniffke, Goodrell, Gue, Gurley, Hoag, Hunt, Jennings, Kellogg, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosencrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Mr. Speaker—48.

Absent, or not voting—Messrs. Hall, Moser and Wright.

Amendment lost.

Question on the original motion carried.

The House proceeded to the election of 1st Fireman.

Mr. Baker nominated H. H. Ritz.

Mr. Davis nominated Joseph Zineshiek, of Johnson county.

Whereupon a ballot was taken, with the following result:

Whole number of votes cast.....	80
Zineshiek received.....	47
Ritz received.....	33

Mr. Zineshiek having received a majority of all the votes cast, was declared duly elected Chief Fireman of the House.

On motion of Mr. Curtis, the House adjourned.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded to elect an Assistant Fireman.

Mr. J. E. Guild was elected by acclamation.

The House proceeded to the election of Door-Keeper.

Mr. Lynch nominated Mr. Sherman.

Mr. Claggett nominated B. Hugel.

Whereupon a ballot was had, with the following result:

Whole number of votes cast.....83

Sherman received.....48

Hugel received.....35

Mr. Sherman having received a majority of all the votes, was declared duly elected Door-Keeper to the House of Representatives.

Mr. Dennison moved that the House proceed to the election of Assistant Door-Keeper; and on this question the yeas and nays were demanded by Mr. Claggett, and ordered, with the following result:

The yeas were—Messrs. Bremner, Davis of Jasper, Dennison, Gue, Hoag, Lambert, Lynch, Macomber, McQuinn, Parker, Quinn, Streeter, Tompkins, Withrow, Witter, Mr. Speaker—16.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dunlavey, Edwards, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Le Lacheur, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren—69.

Absent, or not voting—Messrs. Hall and Wright.

Motion lost.

Mr. Millard moved that the House proceed to the election of Post-Master.

Mr. Claggett moved to amend so as to authorize the Chief Clerk to contract with the Post-Masters of Des Moines, for the delivery of the mail matter to the House.

Mr. Baker moved to lay the whole matter on the table. Lost.

Mr. Claggett moved the indefinite postponement of the election of Post-Master, and the yeas and nays being demanded and ordered, resulted as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dun-

lavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren—35.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Macomber, Millard, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Riddle, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, Mr. Speaker—48.

Absent, or not voting—Messrs. Hall and Wright.

Motion lost.

Mr. Curtis offered the following resolution:

Resolved, That the Chief Clerk be instructed to make arrangements with the Post-Masters of Des Moines, or that of East Des Moines, for the payment of the postage and delivery of the mail matter of the members of this House.

Mr. Kellogg moved to amend by referring the matter to a committee of three.

Mr. Streeter moved to lay the whole subject on the table. Carried.

Mr. Lynch moved that the House proceed to the election of Messengers.

J. D. Edmundson was put in nomination.

Frank Peas was also nominated.

Whereupon a ballot was had, with the following result:

Whole number of votes cast.....84

J. D. Edmundson received.....49

Frank Peas received.....35

Mr. Edmundson having received a majority of all the votes cast, was declared duly elected Messenger.

Mr. Lynch moved that the House proceed to the election of 2d Messenger.

Mr. Claggett moved to lay the subject on the table, and on that question the yeas and nays were ordered, with the following result:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Edwards, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—34.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of John-

son, Dennison, Edwards, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter—49.

Absent, or not voting—Messrs. Hall, Wright and Mr. Speaker.

Mr. Bowdoin moved that Frank Peabody be elected 2d Messenger. Carried.

Mr. Bowdoin moved that Frank McClure be elected paper folder. Carried.

Mr. Quinn moved that the House proceed to elect an Assistant Paperfolder.

Mr. Bereman moved to lay the motion on the table, and demanded the yeas and nays, which were ordered, with the following result:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Bemis, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Curtis, Doggett, Dunlavey, Edwards, Ellis, Glasgow, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, Mangold, McCullough of Jackson, McCullough of Lee, Morehead, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Streeter, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Wright—42.

The nays were—Messrs. Bowdoin, Barnes, Blackford, Bremner, Caldwell, Clark of Johnson, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Edwards, Gillett, Goodrell, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Tompkins, Withrow, Witter—41.

Absent, or not voting—Messrs. Hall, Streeter and Wright.

Motion carried.

Mr. Dennison offered the following resolution:

Resolved, That the Clergymen of this city be invited to officiate as Chaplains to this House, and to arrange among themselves the order in which they will act.

Mr. Kellogg moved to amend as follows: "Provided it be done without expense to the State.

Mr. Noble offered the following resolution:

Resolved, That the clergymen of this city be invited to officiate as Chaplains to this House, and to arrange among themselves the order in which they shall act: *Provided*, That they will rely upon the voluntary contributions of the members of this House for remuneration for their services.

Which resolution was adopted.

Mr. Claggett of Lee, offered the following resolution:

Resolved, That the compensation of Chief Clerk of this House shall be four dollars per day; that of Assistant Clerk, three dollars per day; that of Sergeant-at-Arms, three dollars per day; that of Door-keeper, three dollars per day; that of Assistant Door-keeper, two dollars and fifty cents per day; that of Fireman and Assistant Fireman, two dollars per day each; that of Messenger, two dollars per day; that of Paper-folder, two dollars per day each; that of all officers elected by this House, not herein named, three dollars per day.

Mr. Goodrell, of Polk, moved to lay this resolution on the table, on which the yeas and nays were called, which resulted as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Mr. Speaker—47.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—33.

Absent, or not voting—Messrs. Hall and Wright.

Motion prevailed.

Message from the Senate, by Messrs. Sanders and Bailey, informing the House that the Senate was now organized permanently, and ready to proceed to business.

Mr. Curtis, of Marion, offered the following resolution:

Resolved, That a committee of two wait upon the Senate, and report that this House is now permanently organized, and ready to proceed to business.

Which resolution was adopted, and Messrs. Curtis and Goodrell appointed said committee.

Messrs. Goodrell and Curtis were, on motion, appointed a committee to act with a similar committee on behalf of the Senate, to wait upon His Excellency, the Governor, and inform him that the General Assembly is now organized, and ready to receive any communication he may have to make.

Mr. Baker, of Clinton, offered the following resolution:

Resolved, That a committee of three be appointed to report to this House, the amount which has been paid during two years past to the State Printer, and any amounts which may still be due to him; also, the amount of printing in process of completion; also,

the rates charged by said State Printer; also, to report to the House the amount paid and still due for State Binding, and the rates therefor. Also, to report whether or not a reduction of rates in printing and binding may not be made, so that a large amount may be saved by the State.

Upon the adoption of which resolution the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremer, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Daggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Edwards, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Panik, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—80.

The nays were—Messrs. Caldwell, Streeter—2.

Resolution adopted.

Message from the Senate, by Mr. Saunders, their Secretary.

MR. SPEAKER:—I am directed by the Senate, to inform the House, that the Senate has appointed Messrs. Neil and Anderson, a committee to act with a similar committee on the part of the House, to wait upon the Governor, and inform him that the Senate is organized, and ready to proceed to business.

J. H. SAUNDERS, Secretary.

Mr. Gue, of Scott, offered the following resolution.

Resolved, That the use of this Hall be granted to the Iowa State Agricultural Society this evening, and to morrow evening, for the purpose of discussing agricultural topics;

Which resolution was adopted.

Mr. Goodrell, of Polk, from the committee appointed to wait upon the Governor and inform him of the organization of the General Assembly, reported that they had discharged that duty, and that his Excellency would presently transmit to the House, a communication in writing.

Mr. Withrow, private Secretary of the Governor, presented to the House, a communication, in writing, from his Excellency, which was read, by order of the House, and was as follows:

Fellow Citizens of the Senate, and

House of Representatives:

Representing the Executive Chair, it becomes my duty, under

the constitution, to communicate to the General Assembly, the condition of the affairs of the State, as administered in its several departments, and to recommend such measures, as to me shall seem expedient for your action.

The period that has elapsed since your last biennial session, has been one of great disturbing causes and anxious solicitude to all classes of our citizens.

The first year of this period was visited with heavy and continuous rains, which reduced the measure of our field crops below one half the usual products, whilst the financial revulsion which commenced upon the Atlantic, in the fall of 1857, did not reach its climax for evil in our borders, until the year just past.

You need not be informed of the disastrous effects produced by these two causes, upon the hopes and condition of our people. Overtaken suddenly and unexpectedly in this misfortune, with heavy individual liabilities, with no facilities for obtaining money, their property reduced to a nominal value, and no demand for it at any price, thousands there are who feel that their homes and their fortunes are in great peril; and that this is so, would be worse than idle to disguise. In this aspect of affairs, you may reasonably expect that strong appeals will be made to you for remedial legislation; and I doubt not that their expostulations will receive your very considerate attention, and prompt you to put forth, in your sovereign capacity, such powers as you possess, to secure to them indemnity against unreasonable and unjust sacrifices, yet in a manner that shall guard and protect the rights of all parties interested.

I would not, however, suppress the important fact that the condition and affairs of our people are taking a favorable turn, since the commencement of the late monetary crisis; a large amount of individual indebtedness has been liquidated—a rigid system of retrenchment has been observed in the social and domestic relations and expenditures of our people—but few new liabilities have been created—no malignant epidemic has prevailed—the industry of the people, the last year, has been very well rewarded, with a fair harvest—emigration is again flowing in—the social condition of our people is improving, and we have abundant reason for devout and grateful acknowledgments to *Him*, whose goodness knows no bounds, that we are once more being placed in a condition of advancement and prosperity.

CENSUS OF 1859.

You will have before you a neat print of the census of the past year, taken in the mode prescribed by the act that authorized the same, at an expense only of about \$618 71. It fixes the population of the State at 642,582, being 123,168 more than the population when the census was taken in the year 1856, and will in all

probability, reach 700,000 by the time the Federal census is taken during the present year. The agricultural statistics contained in the present census, refer to the year 1858, and do the field culture of the State very great injustice. On account of the heavy and protracted rains of that year, it is conceded that our crops fell below half their usual amount. Yet, as a result of our industry, we had in cultivation over three millions of acres. And unfavorable as was the season, we cut over 500,000 tons of hay—harvested over 3,000,000 bushels of wheat—cribbed over 28 million bushels of corn—1,500,000 bushels of potatoes—manufactured near a half million gallons of molasses from sorghum—sold beef cattle and hogs to an amount exceeding five millions of dollars, and exported wool and lead, to the value of a million and a quarter, &c.

But it is believed by the best judges, that the year just past, would exhibit a very different table of statistics; that the beef, pork, and wool crops have given an excess of 20 or 25 per cent over the census year of 1858, whilst the corn crop cannot fall short of fifty millions of bushels, and the value of the sorghum molasses would reach the figure of \$500,000.

One or two more such crops, accompanied in other respects with the smiles of a propitious Heaven, and adhering to our present system of domestic economy, will not only re-assure but restore our people to their wonted prosperity, and place them in a condition to grant rather than ask favors of those Atlantic States and cities, which have been heaping obloquy upon us because of our embarrassments, which had its origin as much with them as with us.

HASTY LEGISLATION TO BE AVOIDED.

Seventy one of the laws, covering 263 pages, were passed the day and night preceding the adjournment of the last General Assembly. It would be strange, indeed, if the engrossing and enrolling clerks could copy and compare all these enactments, for the signature of the President of the Senate and Speaker of the House, without committing grave errors. It is known, important omissions and mistakes did occur, while some very important bills had been matured at the cost of much time, labor and expense, failed of their passage, for the want of a few hours time. The mischief growing out of rash and inconsiderate legislation of this description cannot fail to address itself to the mind of a prudent legislator, and I feel myself shut up to the duty of respectfully but earnestly urging upon you the correction of this great evil. I need not say, that as the supreme law-giving power of the State, you are charged with an important trust, which the public welfare demands shall be executed with a wise caution, and a faithfulness that shall comport with the solemnity of your commission.

STATE INDEBTEDNESS, REVENUE, AND EXPENDITURES.

Your attention is invited to the reports of the Treasurer and

Auditor of the State. From the report of the latter, it will appear that the liabilities of the State amount to \$352,492 37. This sum is made up of three amounts quite dissimilar in their character, and all of which, with some confusion of ideas, have been designated a State indebtedness. The first consists of \$200,000, borrowed by the State in the winter of 1858, upon her bonds, running ten years at seven per cent. The second, out-standing warrants, amounting to \$30,196 62, payable upon presentation. The aggregate of these two sums—\$230,196 62—constitute the entire present indebtedness of the State. The third sum of \$122,295 75, is a part of the school fund, which belongs to the State, is held by the State in trust for educational purposes. It is true, the State pays interest on this amount, not to a creditor—for the relation of debtor and creditor does not exist—but to the school fund itself, as upon a debt; ownership is not indebtedness. This money is a part of the proceeds of lands granted to the State, and is as much the property of the State as the lands were at the time they were granted. She has wisely dedicated the interest upon this fund to the support of a system of common schools. In paying this interest, she does not make herself a debtor, or divest herself of the right to control this fund as to her may seem best. She may at any time change her constitution and apply the five per cent. fund and the proceeds of the 500,000 acre grant to any other purpose. I deemed this explanation due, for the reason the Constitution forbids a State indebtedness above 250,000 dollars; and if in the sense of the Constitution, the receiving and holding this fund is a debt, then has the State precluded herself from demanding and receiving about a million of dollars, due her from the General Government, on the five per cent fund. Such is the amount and character of our liabilities. It will be observed that but a small portion of the same will mature and be required to be paid during the next two years. In contrast with this, the revenue resources of the State show that its financial affairs are in a very satisfactory condition, as it leaves a large excess of assets over her liabilities.

The balance in the treasury, and in course of payment through the banks, the delinquent taxes now due from the counties, and the State tax of the year 1859, amount, in the aggregate, to six hundred and eight thousand six hundred and nine dollars and forty-eight cents.

The Auditor estimates the expenditures for the two fiscal years, commencing November 7th, 1859, and ending the first Monday of November, 1861, exclusive of appropriations for charitable institutions and other special purposes, at \$401,719 72, whilst the estimated resources of the State for the same period, exclusive of the saline and school funds, are put down at \$858,609 48. The above figures exhibit a handsome margin upon which the State may prosecute to completion her various charitable and other institutions.

The first great duty of the State undoubtedly is, to administer

its affairs in all the departments of the public service, upon as economical a scale as possible, consistent with the public good.

The expenditures for ordinary purposes, during the two fiscal years, ending on the 7th of Nov. last, amount to \$366,198 57, whilst the extraordinary expenses for the same period, amount to \$212,157 45; making an aggregate of \$578,356 02. I have no knowledge of any State in the Union, whose ordinary expenses, when viewed in connection with the nature of our political organization, the extent of our population and territorial limits, will compare more favorably, or whose people pay a lighter State tax for the privileges they enjoy, than do ours. This fact, it is believed, will not escape the attention of the emigrant, who is or may be seeking a home in the great valley of the Mississippi.

BOARD OF EDUCATION.

Our educational interest will claim your special attention. On the 12th of March, 1858, the General Assembly passed an act entitled "An act for the Public Instruction of the State of Iowa." This act, with the exception of those portions of it which provided for levying taxes and appropriating money, was subsequently declared unconstitutional by the Supreme Court. The Board of Education, at its first session, held in December, 1858, were much perplexed in determining the extent of their jurisdiction, fearing on the one hand that they might encroach upon the powers of the General Assembly, and on the other, that they might fail to perform, to the full extent, the duties required of them under the constitution.

After much reflection and deliberation, they re-enacted the law above referred to, with some slight alterations. It took effect on the first day of March last, and under it our school system has operated as successfully as we could reasonably expect, in view of a change from a system with which they were familiar, to one materially different in its essential features. Objections have been made to some of its provisions, but in the main it appears to have given satisfaction.

The Board, at their recent session held in December of last year, made a variety of amendments, which they believe will remove all valid objections.

Under the provisions of the constitution, all laws passed by the Board of Education are subject to alteration, amendment or repeal by the General Assembly. The law, as amended, will be laid before you for your consideration; and it is earnestly hoped that you will only make such additions to it as you may deem essentially necessary to give it vitality, without materially changing its provisions.

Repeated and radical changes in our school laws, though sometimes necessary, are always attended with temporary inconven-

ience, and frequently with serious injury; and hence it is particularly desirous to avoid them unless they are indispensable to the prosperity of our schools.

Popular education is one of the most important interests of the State. A much greater number of the people are personally identified with its failure or success than with any other subject of legislation. It is scarcely necessary, therefore, that the utmost precaution should be observed in any thing you may deem it your duty to do for the promotion of this great object; and in this sentiment I am fully persuaded that I have your hearty concurrence. It is all important that the school laws should be considered and acted upon definitely and finally at an early day of the session, in order that they may be published and distributed in time for the school district elections in the spring. Their circulation in pamphlet form should not be restricted to school officers, but should be sent broad-cast among the people, in order that they may become familiar with their provisions. At least every head of a family should be supplied with a copy. We have over one hundred thousand voters who are interested in our school district meetings, and to enable them to become familiar with their duties and obligations, the school laws should be circulated extensively among them.

The subject of discontinuing the Board of Education has been discussed by some of our public journals. While I much regret the unfortunate position in which we are placed by the educational provisions of our Constitution, I should seriously question the expediency of such a measure at present. The Board have endeavored faithfully to perform the responsible duties imposed upon them, but at nearly every step, they have been trammelled by constitutional restrictions, and hence their legislation has not been such as it would have been if they had been clothed with full and exclusive authority to enact all laws for the government and support of our common schools.

But it should be remembered also that they possess, under the Constitution, the sole power to originate all laws exclusively educational in their character.

The Constitution provides that the General Assembly shall have power to abolish or re-organize the Board of Education at any time after the year 1863, and as another session of the General Assembly will transpire before that time, any legislation on the subject, at present, would certainly be unwise and premature, and would probably render our whole educational system still more complicated than before.

FIVE PER CENT. FUND.

Our admission into the Federal Union transpired in the fall of 1846. At this time there were very few outstanding military land

warrants. A part of the compact of admission was, that in consideration the government lands should not be taxed by us, the State should receive 5 per cent. upon the net sales of the lands within her chartered limits. Upon the cash sales we are and have been receiving this fund; but upon all entries made with military land warrants, the 5 per cent. is denied us, upon the ground that such entries are mere bounties, and not sales. In February, 1847, three or four months after our admission into the Union, Congress passed an act offering one quarter section of land to every private, musician, and non-commissioned officer who would enter and serve a given period in the Mexican war. This war closed about the time that our best lands were being brought into market. Vast numbers of these warrants were issued and were located in this State, absorbing a large proportion of our best lands. As they formed a part of the contract of enlistment, they could not have been withheld by the government without an act of bad faith; not so, however, if they were in fact only bounties. But they were issued in discharge of a consideration that had been given in the form of military services, and their subsequent redemption in land, constituted a sale in the sense of the law as well as the compact. Such is the opinion of the best jurists in the country. I have appealed in vain to the Secretary of the Interior for the payment of the 5 per cent. upon these warrants, that now approximates to a million of dollars. On going to Washington to institute a suit in the Court of Claims, as I was directed to do by a joint resolution adopted at your last General Assembly, I was strongly dissuaded from doing so, for the reason that it would be a useless expenditure of money—that the decisions of that Court settled nothing—that they were only equivalent to a report made by a committee of either House of Congress, and were as frequently overruled—that the relief, after all, must come through Congress. Eminently unjust as is the non-payment of this fund for the reasons assigned, Iowa is not the only party complaining. Other western States stand in the same category, but not so largely implicated. They propose to abide their time till after the next Federal census and apportionment, which will give the west some 18 or 20 additional representatives. My opinion is that we had better do the same thing.

The payment of this fund is not a mere favor which we are asking of the General Government, but a subsisting legal right which could be enforced in a court of justice, was there a tribunal of this kind, clothed with the requisite jurisdiction.

SCHOOL FUND AND LANDS.

The agents employed to investigate the affairs of the different School Fund Commissioners in the State, found many irregularities and abuses in the official discharge of their duties, and in the

counties of Alamakee, Chickasaw, Clarke, Decatur, Fayette, Jones, Madison, Mitchell, Story and Wapello, they discovered defalcations to an amount exceeding \$20,000. Their reports, however, in some instances, were not entirely clear and satisfactory, and probably may have done some of the officers injustice. The law makes it the duty of the County Judges, in all such cases, to bring the matter to the notice of the District Attorney, for the purpose of instituting legal proceedings. I am of the opinion that the interest of the State School Fund would be better subserved by authorizing the Auditor of State or the Secretary of the Board of Education, (Col. Benton,) to re-investigate the accounts of the School Fund Commissioners in the counties mentioned, with a view of ascertaining with greater certainty the real facts in each case; this being done to clothe such officer with full power to arrange amicably with the defaulting Commissioner the amount found to be due, by allowing time and good security. If he should fail in this, then to supply the District Attorney with such a statement of facts, that he may proceed with safety, and with less liability to involve the State in cost. Indeed, it would be well to invest some officer with full discretionary power to settle all such cases in the method that will, with the least expense, protect the State against loss.

I had the honor, at your last regular session, to communicate to your respective bodies, the frauds and abuses alleged to have been practiced in Tama county, in the sale of the 16th section. The law required that the land should be offered at public sales three different times, six months or more apart, before they shall be subject to private entry. In January, 1857, 3200 acres were offered at public sale in said county, (being the first and only time they were so offered) and run up to a high figure by fictitious bidders, as the charge was made, to prevent actual settlers from becoming purchasers. After the sale, these bidders privately forfeited their bids; after which the parties for whom they acted, purchased the same at private entry, at the appraised value thereof. If this was true, the sale was a fraud upon as well as a clear violation of the law, and consequently void, and I so directed the County Judge to declare them, which he accordingly did. I have since learned that some of these pretended purchasers were unwilling to have their lands so treated, and would contest their titles with the State, while others would give them up if their money could be refunded, with interest. As the executive officer of the State, it was my duty to insist upon a strict observance of the law. It is quite competent for you to do otherwise, and in view of the altered condition of things in the State, the fall of property, &c., I would now recommend the passage of a law that should legalize these sales, and vest in the several purchasers the legal title to the lands in question, with the privilege, however, to such as desire it, to surrender back the land to

the County Judge, upon being reimbursed the money paid, with interest. This option should be given, for the reason that the sale had been declared void by me, and some of the parties may have made other arrangements. Such a disposition of this difficulty would obviate the expense and vexation of law suits, and at the same time, under all the circumstances, further the interest of the School Fund.

500,000 ACRE GRANT.

In the selection of these lands, the agents employed returned an excess of 22,660.03 acres, which by some mistake, was approved and entered upon the tract books, both in the General Land Office at Washington, and upon our own books in the Register's office.

I was urged, and learned my predecessors had been, to return back to the General Government a list of lands to be taken from the original selections properly described, that should be equal to this excess. Upon very full enquiry, I found that this could not be done without interfering with the rights of innocent purchasers; that the entire grant, including a part of this excess, had already been sold, leaving about 13,918.25 acres undisposed of. Perceiving no good reason why this last amount should not be given back, a list containing a proper description of the same was duly returned, and an arrangement was made with the Commissioner of the General Land Office, to the effect that the residue of this excess, (8,745 acres,) should be confirmed to the State, and that from her five per cent fund, an amount should be retained sufficient to pay for the same at \$1.25 per acre, being \$10,931. This adjustment is a favorable one for the State, and it is to be hoped that you will ratify it by the passing of an act that so much of the five per cent fund may be retained by the General Government, as shall be necessary to carry out the settlement so made, and that the title of the 8,745 acres may vest in the State; it will also be necessary for Congress to pass an act confirming this settlement, for the consideration named, to which the attention of our Representatives should be immediately called.

DES MOINES RIVER GRANT AND IMPROVEMENT.

For years this grant has been held to extend to the source of the river. Recently the Government authorities have decided that it is limited in its extent to the Raccoon Forks, and refuse to certify any more lands to the State north of this point. The Hon. Charles Mason was appointed a Commissioner, by the last General Assembly, to procure, if possible, the residue of this grant, to be certified to the State. For this purpose he immediately repaired to Washington, and not obtaining a satisfactory decision from the Secretary of the Interior, appealed to the President, who referred

the subject to the Attorney General, whose opinion was adverse to the State, and thereupon recourse was had to the Judiciary. A suit, in the name of E. O. Littlefield, Esq., against the Dubuque & Pacific Railroad Company, was instituted in the District Court of the United States, and a judgment obtained in favor of the plaintiff for a tract of land embraced in this grant near Fort Dodge, derived from the State. An appeal to the Supreme Court of the United States was immediately taken, has already been submitted to that tribunal, upon printed arguments, with assurances from the Court of an early decision, which the State confidently expects will be a favorable one, as it is impossible to conceive how the Government is to avoid the legal effect of her repeated admissions, that our title extended to the source of the river. Too much praise cannot be awarded to Judge Mason for the able and indefatigable manner in which he has addressed himself to the object of his commission. The settlement made at its last session by the Legislature, with the Des Moines Navigation & Railroad Company, has been duly carried out according to the terms expressed, a part of the details of which will be found in the Report of the Commissioner, E. Manning, Esq. It will be remembered, that the River Improvement was abandoned, except the completion of four dams, the state and condition of which will be found in the reports of the present Commissioner, Wm. C. Drake, and the chief Engineer, S. Dwight Eaton, Esq., to which your attention is respectfully called.

If these four dams should be completed, they will still be the source of constant annoyance and expense to the State, and it is clear to my mind that it would be the part of wisdom to do at once, what in the end will have to be done, and that is, to transfer these dams, with all their privileges, to any responsible party or parties (if such can be found,) who would undertake to complete and keep the same in repair. The dams, completed, might be disposed of to the highest responsible bidder, &c.

Justice to a large number of individuals, demands that I should bring to your attention another subject connected with this grant. The agents employed by the State to select the 500,000 acre grant, among others, selected 12,913.51 acres of land, chiefly in Webster county, belonging to the river grant, which selection, with others, was approved February 20th, 1851.

Col. Benton, at that time the State Superintendent, with his usual caution and prudence, before ordering these lands into market, addressed a letter of enquiry to the Commissioner of the General Land Office, whether any of the selections in question conflicted with the Des Moines River grant. This was in March, 1853. Receiving a negative answer on the 6th of June, of the same year, he ordered the lands into market. In January thereafter, he received another letter from the Commissioner, to the effect that the approval of the selections of these 12,813 acres had

been revoked, and confirmed to the State under the Des Moines River grant.

In the meantime, the School Fund Commissioner of Webster County, under the order of sale, disposed of some 4,859 acres of this land, by sale to actual settlers, who have improved and still occupy the same. Since then the State, under her contract for the improvement of the Des Moines River, has conveyed by deed these same lands to the Des Moines River Company who now hold the legal title. In this condition of things, what is to become of these settlers? It is true, perhaps, under the occupying claimant law, they may get the value of their improvement. But is this the measure of justice that should be meted out to them? They were purchasers in good faith, and although their misfortunes are the result of the *laches* of federal officers, rather than that of the State, yet simple justice demands, under the circumstances, that the State should at best do all it could to have these lands confirmed to them. This can now only be done by negotiation.

I would respectfully suggest, where any of these parties are unwilling to take a reasonable compensation for their improvements, and surrender the lands, that if they will pay to the Des Moines Navigation & Railroad Company, the price for which the State sells other school lands, that then the State will make up the residue of the purchase money to said Company, either in cash or land; provided the purchase can be made of said Company on just and reasonable terms.

A special agent might be commissioned to effect the negotiation on this basis, properly restricted in his powers.

At all events, the whole subject is submitted to your better wisdom, earnest expressing the hope that it will not be overlooked.

SWAMP LANDS.

The grant of these lands for purposes named in this act, has been the source of much trouble to the State, and vexation to the people of the counties who were intended to be made, by an act of the Legislature, the recipients of the same. After large quantities of these lands had been selected agreeably to the rules prescribed by the proper department, and approved by the Commissioner of the General Land Office as such, they were permitted to be entered or located with land warrants at the Government Land Offices, upon a bare representation that they were dry lands. A remonstrance from the State against so unjust a proceeding, resulted in the passage of an act by Congress confirming to the State the swamp land selections they had made.

Before this, however, Congress had by an act passed for that purpose, recognized and confirmed the title of purchasers and locators of such tracts as had been selected as swamp or overflowed lands; but made provision, at the same time, that upon due proof by the authorized agent of the State, before the Commissioner of

the General Land Office, that any of the lands purchased were swamp lands, within the true intent and meaning of the act aforesaid, the purchase money shall be paid over to the State, and when the lands have been located by warrant or scrip, the State should be authorized to locate a quantity of like amount, &c.

The General Assembly, at its last session, made an appropriation of \$2,000 to defray the expense of selecting the swamp and overflowed lands in twelve counties, then unorganized, and the sending of an agent to Washington to settle the preliminaries of the proof required under the act of Congress alluded to, as well as some other open questions in relation to the manner of listing and patenting these lands to the State. The Hon. James Thorington was commissioned for this purpose, and an adjustment was effected, under which the General Government has, up to this date, certified or listed to the State 507,811.30 acres. The report of the State Register will show in what counties these lands are situated. The lists have been examined, corrected and approved, and patents requested to be issued to the State for the same, which is now in process of being done. 61,812.43 acres of the above amount, embraced within the Fort Des Moines and the old Iowa City Land District, have recently been patented to the State, and which I have caused to be patented to the counties in which they are situated. It is believed the above lands will all soon be certified by patents to the State, and they belong to that class of swamp lands about which there is no controversy, the title being as I have before stated, confirmed to the State by an act of Congress, dated March 3d, 1857. But in addition to these lands, there has been listed to the State 124,332.76 acres falling within the Ft. Des Moines and Chariton Land Districts, which had been wrongfully permitted to be entered by cash or with military land warrants, the title whereof has been confirmed to the several purchasers and locators, but indemnity for which is to be given to the State, provided it shall be proved in the method prescribed, that they were swamp and overflowed lands within the meaning and intent of the act granting the same at the date thereof, or at the time of their selection. Forms of the proof, with the requisite instruction, have been forwarded to the Judges of those counties where these lands are situated, that the work of establishing the swampy character of the same may be commenced.

The General Land Office, at Washington, is unwilling to adjust this grant with any other party than the State authorities, which devolves upon the Executive greater duties than it is possible for him to perform with his other official labors. The examination and correction as they are forwarded, which is only done by land districts, the division of these lists into counties, and transmitting to such counties those which are to be patented, and those which have been entered by cash, and those which have been located with land warrants, in separate lists, that the requisite proof may

be taken in regard to their character—and supplying the counties or other agents with all needful information they may require concerning the manner of conducting the proof—examining and correcting these proofs, when taken, before they are transmitted to Washington for approval, will require more labor than one individual can bestow, should he give his entire time. Hence I felt it my duty to employ J. B. Stewart, Esq., of Des Moines, a special agent to assist in these labors. But I am now satisfied that although the Register of the State Land Office and his deputy have already as heavy duties as they can well perform, this swamp land business should be transacted in his office, under the general supervision of the Governor, and that the Register should be authorized to employ one or more competent persons, as the necessities of the case may require, whose time and labors should be given exclusively to this branch of the public service; and whatever amount the State should be required to pay the agent or agents thus employed, could and ought to be refunded to the treasury out of the moneys obtained from the General Government for Swamp Lands sold. This would hasten the final close and settlement of this troublesome business, which is very much desired by the counties interested, and the commencement of which thus fairly made, has cost the Executive Department of the State unremitting labor and attention.

There is, however, another obstacle to the early completion of this service, which I should not omit to mention. The four land grant railroads in this State claim the right to impeach the Swamp Land selections, so far as they conflict with their grant, notwithstanding near three years ago, these selections, whether their real character were swamp or dry, were by a special act of Congress confirmed to the State. This right, upon application, was conceded to these Companies by the Commissioner of the General Land Office, with the consent of the Secretary of the Interior, without giving the State a hearing upon the question. Hence the Swamp Land selections found upon odd sections, falling within the description and limits of the railroad, (being fifteen miles on either side of each line,) have not been with other swamp land, certified to the State. On being informed of these facts, I proceeded to Washington, and made an urgent personal appeal to the Secretary of the Interior for a reversal of this decision, for reasons which were named; but he declined to do so, yet expressed a willingness to require the railroad companies to designate at once the tracts claimed to be dry, and to submit proof that should at least be equivalent to the evidence furnished that they have Swamp Lands; otherwise they should be certified to the State, and to this effect did he so instruct the Commissioner. Still I have heard of no such designations—the lands still remain uncertified to the State. I have been unable to learn from the Commissioner, what course he designs to pursue in reference to the instruction of the Secretary of the In-

terior. And the question recurs, where is this matter to end? If the contest goes on, it must necessarily be protracted and expensive to the people of the counties, whilst it will prove, in the end, detrimental to the railroad companies themselves. It is obviously their interest to propitiate the favor rather than the hostility of the people, in pushing forward their several enterprises. The counties deeply feel the want of railroads, and many of them would be willing to give or subscribe their Swamp Lands to attain so desirable an object, but they are not thus willing to be deprived of them, without their consent, or subjected to the other alternative of proving them up a second time, at great cost and trouble. The railroad grants were made to the State in trust for certain railroad companies. The State, as I read the act, has already made a declaration of this trust in favor of the companies in question, subject, however, to the conditions and restrictions contained in the act of Congress 'granting them. One of these conditions is, that the lands shall only be sold as the construction of the roads progress; that is, after one hundred and twenty sections have been sold, another like quantity shall not be sold until the Governor of the State shall certify to the Secretary of the Interior, that twenty continuous miles of any of said roads have been completed. Now, in order to put an end to this unhappy controversy, which has been the source of so much complaint in the State, I cannot but feel that it is my duty to recommend the adoption of a joint resolution by your bodies, instructing the Governor to sign no more certificates of the description spoken of, to any of said companies, until they shall file in his office a written relinquishment of their supposed right to contest the Swamp Land selections that may fall within the limits of their grants, and a consent on their part, that the Commissioner of the General Land Office may proceed to patent them to the State as other Swamp Lands, &c.

STATE PRISON.

This institution merits a distinct notice. The facts and suggestions contained in the reports of the Board of Inspectors and Warden should attract your special consideration. Since the last General Assembly, some eighty-five have been added to the number of convicts. On account of this unexampled increase the appropriation made for the general support of the Prison proved wholly inadequate. It did not indeed hold out a year. The price of provisions kept up, being scarce and commanding a ready cash market, could not be obtained on so long a credit except upon terms at once exorbitant and inadmissible. An attempt on the part of the Inspectors to effect a loan of money for this purpose proved unsuccessful. I was forced to the necessity of opening the prison doors or furnishing the requisite supply. This latter alternative was adopted, but only accomplished through the co-operation and in-

dulgence of the Auditor and Treasurer of the State, who permitted me to take some six or seven thousand dollars of the revenue whilst *in transitu* from the county collectors to the State Treasury upon my personal receipt. It will be necessary for you to legalize this transaction, I apprehend, and have the Treasury credited with the requisite amount, and this I ask may be done. Where by oversight or miscalculation the appropriation has failed to meet any emergency of this description, I submit whether it would not be well to authorize the Census Board or some other agency or power to supply the deficiency until the sitting of the ensuing General Assembly. I regret to make known the fact that there has been some misunderstanding and disagreement among the officers of this institution and between them and prison contractors, which have led to much irritation of feeling, complaint and finally litigation. It is unnecessary for me to express any opinion upon the character of these difficulties with a view of determining where the blame lies. But it does appear to me that if the Warden was not dependent upon the Board of Inspectors for the term of his office, and the duties and powers of each were clearly defined by law, it would seem to check abuses, and tend to secure both harmony and independence of action.

Representations made to me last May touching the discipline and condition of the Prison accounts, and of abuses in the financial management of the same, satisfied me that the interest of the State demanded an investigation with a view of ascertaining the condition of the one, and the manner and system observed in conducting the other. I accordingly commissioned Thomas S. Espy, Robt. A. Russel and H. Q. Jennison to make an examination of the affairs of this institution and report as contemplated and required by "An act to authorize the Governor to appoint Commissioners to examine the accounts of State officers, and to define the duties of the Governor in certain cases." The very thorough and satisfactory report made by these commissioners is submitted to you and should be considered in connection with that of the Board of Inspectors.

You will not fail to perceive, from a careful inspection of their report, that the affairs of the institution have been conducted carelessly and without system. That the books of accounts were in a confused condition and could not be balanced—that \$1700 had been traced as a deposit into the hands of bankers, and had been lost sight of by the officers, and would in all probability have been lost to the State but for this investigation. Much of this irregularity and confusion in the accounts undoubtedly is attributable to the acts of an incompetent book keeper—which demonstrates the importance of having a professional accountant to keep the books in an institution where large sums of money are to be disbursed for various purposes under distinct appropriations.

To the report of the Commissioners is appended a general balance sheet, obtained only by re-journalizing the books and correct-

ing the errors, and supplying the omissions, and which comes down from the commencement of our State organization to the 1st of June, 1859, exhibiting the following result :

	DR.	CR.
State of Iowa,.....		\$109,641 86
Construction,.....	\$69,045 82	
General Support,.....	35,279 73	
Officers Salaries,.....	12,851 49	
General Support Fund,.....		634 42
Convicts' Fund,.....	152 47	
Wall Fund,.....	1,732 31	
Real Estate,.....	700 00	
Bills Receivable,.....	3,539 00	
Bills Payable,.....		12,676 03
Individual Accounts,.....	5,821 13	6,169 64
	<hr/>	<hr/>
	\$129,121 95	\$129,121 95

It will be ascertained from the details in this balance sheet, that the amount, \$109,641 86, is the whole amount expended by the State on account of the Penitentiary. The other sums on the credit side, may need explanation. The amount, \$634 42, is for cash advanced by the Warden during the month of May last, in payment of bills for supplies, &c. The amount, \$12,676 03, is the aggregate of all notes outstanding against the institution, on the 1st of June last ; and the amount, \$6,169 64, is the sum of all amounts due individuals on book account. The different amounts on the debtor side will be readily understood. The labors of this Commission must result in great good to the institution as well as the State ; besides exhibiting the precise condition of its financial affairs, it has exposed abuses, rectified mistakes, and made up and systematized the entire Penitentiary account, so as to render it intelligible.

Honorable mention should be made of S. Guthrie, Esq., a most competent book keeper, who rendered to the Commission valuable assistance in the discharge of their duties, and who is now employed by the present Warden as Chief Clerk and book keeper of the establishment—which at once guarantees accuracy and system in the keeping of the accounts. It is believed, however, that he cannot be retained for the compensation now given that officer. True economy requires that the Clerk in this institution should be a first class book keeper, with rates of pay which he could get in our larger mercantile establishments. It is proper that I should state that the Commissioners reported a deficit in the accounts of the late Warden, amounting to \$2,278 11. This deficit was discovered by the examiners, after a final settlement of the Warden's accounts, which settlement the Inspectors now ask may be opened up. The attention of the Attorney General has been called to this subject, with the necessary instructions.

The north line of the Prison enclosure is protected with a board fence, rendering the confinement of so large a number of convicts exceedingly unsafe and dangerous, and should be replaced with a stone wall at as early a day as possible. The cell-room accommodations are inadequate and should be enlarged. I recommend as large appropriations for these objects as the revenue resources of the state will justify.

The Inspectors have procured a plan for the enlargement of the Penitentiary, through the assistance of a competent architect; which embraces all the modern improvements, and would accommodate some 300 or 400 convicts, and ought, in my judgment, to be adopted and carried out, if the financial condition of the State will admit of it.

PARDONING POWER.

It is made my duty under the Constitution of this State, to communicate to the General Assembly all cases of pardon, reprieves or commutations granted by me during my term of office; which I have the honor of doing in a separate paper accompanying this message, in which is shown the name and crime of each convict, the sentence, its date, and the date of the pardon, and the reason therefor.

The whole number of pardons in two years from January 10th, 1858, to January 9th, 1860, for Penitentiary offences, was fifteen. Of these only three were pardoned before their imprisonment—the remaining twelve had suffered imprisonment a greater or less time,—some of them sufficiently long to satisfy the ends of justice, independent of the other causes which operated upon my mind in their discharge. The number pardoned for offences punished by fines and by imprisonment in the county jail, was six. There was one case of commutation and none of reprieves.

The applications for pardons were numerous—often informal and loosely made; to secure an intelligent consideration of these applications, as well as greater certainty and uniformity in their presentation, and to guard against imposition and an abuse of an important trust, when required to be exercised, I prepared a series of rules, which, together with that provision of the Constitution, which relates to the subject, I caused to be published and sent to all the counties for the information of those whom it might concern. A copy of the rules presenting the mode of applying for pardons, is appended to the report alluded to, and to which your attention is called. It will be perceived that the constitution clearly contemplates the enactment of a law regulating the exercise of the pardoning power. This as yet has not been done. I now recommend the passage of such a law, and that it shall in its provisions, embrace the substance of the rules which I have established, and which I have found from experience to work well, and

adequately to guard against an improper use of this high prerogative power, whilst under them the rights of the convict are also duly protected.

STATE REFORM SCHOOL.

Many States of the Union have established these institutions. They are regarded as tokens of an advancing civilization, and have proved a success. From 70 to 80 per cent of the juvenile offenders who have entered them have been reformed and given back to society, useful and honorable members. They are placed in an institution where the requisite means are employed to transform their moral constitution, where they are compelled to listen to the appeals of virtue and right action, instead of incarceration in the Penitentiary, where they are subjected to the malign influence of the vicious and the depraved. I learn that the records of our Penitentiary exhibit the remarkable fact that fifty juvenile convicts between the ages of 14 and 21, have been imprisoned within its walls during the last three years, and that $\frac{1}{4}$ of our convicts have, from the beginning, been of this description. The legitimate place for this class of offenders is in a reform school. In the civil and domestic relations of life, the law, out of a tender regard for their inexperience and supposed want of mature judgment, affords them immunities and privileges not extended to the adult citizen. Why should not this distinction be made in our criminal jurisprudence? It can be demonstrated that the prosecution and maintenance in prison of these fifty juvenile offenders has cost the State, in all probability, more than their moral discipline would have done in an institution of the description named.

The Rev. Thomas E. Corkhill, of Keokuk, has addressed me a long communication, filled with valuable statistics and information on this subject, which I should have been pleased to have published and laid before you, had I possessed the power under the law to have done so. It is, however, at your service. In the name, of a common humanity, the necessity and propriety of establishing a State Reform School is urged upon your consideration.

INSANE HOSPITAL.

The condition of this institution will be found in the reports of the Commissioners and Superintendent, and little need or can be added to the suggestions there made. Should it take \$100,000 more to complete this structure, it will still cost less than its prototype at Northampton, Massachusetts; whilst those acquainted with both buildings, will be constrained, perhaps, to admit that ours is, by 75,000, the better of the two.

It is difficult for those not acquainted with structures of this description, to conceive why their cost should reach so high a figure;

a visit, however, to this institution would reveal to them this mystery. When finished, it will occupy the first rank of all similar institutions in the world, and be a beautiful as well as a shining illustration of the philanthropy and enterprise of the people of Iowa. I am inclined to think the revenue resources of the State, as estimated for the next two years, (although the Auditor in his estimates proposes to reduce the taxes), will justify an appropriation sufficient to complete this building, which is so much needed to satisfy the appeals of humanity as they come up from different parts of the State.

DEAF AND DUMB ASYLUM.

This institution is located at Iowa City; occupies a rented building sufficiently large and commodious to answer, in the main, its present purposes; is in a flourishing condition, and under the charge of Prof. Ijams, a competent and successful instructor of mutes, who is building up an institution creditable alike to himself and the State. The time is not distant when the State must locate this institution permanently, and erect suitable buildings to effectuate its aims of usefulness. This, in my opinion, should be done at the Capitol of the State, where, in the end, it will be more accessible and under the more immediate supervision of the Legislature and State authorities. I bespeak a careful reading of the annual report of the Board of Trustees, which needs no enlargement from me.

AGRICULTURAL COLLEGE.

A very brief statement of what has been done under an act passed at your last session, providing for the establishment of a State Agricultural College and Farm, may justly be expected. The Board of Trustees, at their session in June last, located this institution and Model Farm in Story county upon 649½ acres of land, in township 83, range 24 west, being a central as well as an eligible site for an institution and farm of the description indicated in the law. Liberal donations were made by the counties of Story and Boone for the support of the same. The Board established the professorships and prescribed the studies best calculated to educate agricultural and mechanical labor, all of which will be more fully set forth in the report of the Executive Committee or Board of Trustees. Connected with this institution, is an Agricultural Bureau, under the charge and control of Gen. Wm. Duane Wilson, its Secretary, whose unremitting attention to his duties, and great energy, has rendered it of very great service already to the State, as his valuable and interesting report demonstrates, and to which your attention, and especially that of the farmers of the State is most respectfully invited.

BANKS AND BANKING.

The acts incorporating a State Bank and authorizing free banks in this State, were severally accepted and ratified by the people at an election held for that purpose. The State Bank was organized on the 28th of October, 1858. There are now twelve branches established at the following points: Muscatine, Dubuque, Keokuk, Mount Pleasant, Davenport, Iowa City, Des Moines, Oskaloosa, Lyons City, Washington, Burlington and Fort Madison, with an aggregate capital of \$460,450, paid in specie, and a circulation of \$563,836. There are other important statistical facts bearing upon the condition of these branches contained in a consolidated statement published by the President, Chester Weed, Esq., for the information of the public, on the 5th of last month, which makes it, perhaps, unnecessary to embrace them in this communication. There are applications pending for four more branches, and the probability is that the number will be increased to twenty in all, in the course of this year, which will be able, it is thought, to supply the wants of the legitimate business of the State for some years. If these branches have not accomplished all that the public expect of them, it is gratifying, at least, to know that they have done a cautious and safe business, commanding the confidence of the people, whilst they have in no small degree subserved the interest of the community at large in relieving the reasonable wants of its business men.

If the very extraordinary financial pressure in the midst of which they commenced their business, has limited their operations on the one hand, it has, upon the other, imparted a degree of caution and prudence in the management of their business, which is worthy of all praise, and cannot fail to commend them to the confidence of the public. In this connection I will be pardoned for suggesting, that inasmuch as the State has lent to this institution its name, and participates to some extent in managing and directing its operations, through three Directors of its own appointment, it should, by the passage of an act, express its willingness to receive the issues of these branches in payment of taxes.

Standing in this intimate relation to these institutions, it is but just that the State should, in this way, add its confidence to that of the public, which is an element of such vital importance to their successful operations. I need not add that this policy, in my judgment, would greatly subserve the interest and convenience of the tax-payer, whilst it would tend to drive much of the foreign free bank money out of our State, and fill its place with our own issues.

I beg to say, that I desire to be held alone responsible for this recommendation, as it does not emanate from the request or even suggestion of any of the parties interested in the banks.

I have not understood that any banks have been established under the Free Banking Law. I have heard it suggested that it was

too stringent and ought to be modified. I doubt whether an application of this kind ought to be entertained should one be made. It is the want of these stringent provisions in the Free Banking systems of Illinois and Wisconsin that have flooded those States and Iowa with their irredeemable paper. It is infinitely better for the people of this State to have no free or State banks, if their paper cannot be redeemed on demand in specie.

Under the 73d section of the present Revenue law, the Auditor has and is saving a large proportion of the expense attending the collection of the State revenue under the former system. The allowance of mileage to the County Treasurers, as formerly done, was an expensive mode and less reliable than the one now adopted. From the more populous counties of the State the revenue is now paid into the nearest branch of the State Bank, and is thence forwarded to the State Treasury, at the Capital, at the risk of the bank and upon economical terms.

I am of the opinion that the State can further economize the system of receiving and disbursing the public revenue, by a slight modification of its laws. It may legitimately make the bank, to some extent, the fiscal agent of the State. The revenue being first moved from the populous counties to the Capital, must be moved back again in large part, in disbursements, for the use of the public institutions in different parts of the State, and to pay off their officers.

A considerable amount has now to be paid in New York, semi-annually, for interest on the outstanding State loan; and the rates of exchange as well as the transportation of specie, which must be paid by the State, are less from the river counties than from the interior.

If the Auditor should be authorized by your legislation to direct the payment from any county, to be made at any Branch of the State Bank, to be designated by him, and thence ordered into the State Treasury, as now—or thence disbursed on warrants directed to such Branch, in his discretion, it would save the transportation, both ways, of a large part of the revenue, and save time in reaching the public creditor. He is already authorized to have it paid into Bank in transit to the treasury. The additional power requisite is to disburse on warrants directed to the bank. This system would prevent any large accumulation of money at one point, and would also avoid some risks of loss inevitably attending double transportation of the funds; while the security of the State would be equal if not superior to that of the official bond. These reasons, together with the financial economy secured by it, commend it to your consideration.

REGISTRY LAW.

I renew the recommendation of my predecessor, for the enact-

ment of such a law, and earnestly commend to your attention the suggestions and remarks which he had the honor to submit to the last General Assembly upon this subject.

STATE ARMS AND VOLUNTEER CORPS.

The quota of arms drawn by each State is in proportion to its representation in Congress. This provision of law operates to the disadvantage of the new States, whose population usually is much in advance of such representation. Thus far our supply has been wholly inadequate to the demand. A chivalrous spirit pervades the minds of our young men, and many highly creditable companies have been organized in the State, although we have had no military law, the enactment of which should now engage your serious attention.

The reception, custody, and distribution of the public arms, coupled with the large correspondence that necessarily grows out of it, makes this branch of the public service both burthensome and expensive to some extent, which should be provided for by law. The duties connected therewith have been for the last two years very efficiently and promptly performed by the present Adjutant General of the State, Gen. Jesse Bowen, whose compensation has borne no proportion to his official obligations and labors.

STATE HISTORICAL SOCIETY.

A communication from the Executive Committee of this organization will be laid before you, exhibiting a most satisfactory account of the condition and prospects of the Society; than which it is believed no similar association in the whole land has accomplished so much in the same time.

In the hands of its present friends, it promises to add great honor and credit to the State.

For further information in relation to its history, progress and aims, I refer you to the communication already alluded to; and also to the report of the Treasurer of this Society, the vouchers of whose disbursements are filed in my office, accessible to any committee your respective bodies may appoint to examine the same. I cordially concur in the appropriation asked for by the Executive Committee.

FRONTIER DIFFICULTIES.

Congress made an appropriation of \$20,000, in behalf of the citizens of Minnesota and Iowa, to defray the expenses of their various expeditions against Ink-pa-du-tah and his band, for the murders committed at Spirit Lake in the spring of 1857. It was required that these expenses should be proved up before Major Cullen, Su-

perintendent of Indian Affairs at St. Paul. This was done, and the amount allowed the Iowa expedition under Major Williams, was \$3,612 43, which is now being disbursed to the privates and officers composing the same.

Under the act authorizing the Governor to raise a company of mounted men for the defence and protection of our frontier, approved Feb. 9th, 1858, I beg to say, that a company of thirty such men, known as the Frontier Guards, armed and equipped as required, were organized and mustered into service under the command of Capt. Henry B. Martin, of Webster City, about the first of March then following, and were divided into two companies, one stationed on the Little Sioux River, the other at Spirit Lake. Their presence afforded security and gave quiet to the settlements in that region, and after a service of four months, they were duly disbanded.

Late in the fall of the same year, however, great alarm and consternation was again felt in the region of Spirit Lake and Sioux River settlements, produced, as represented to me, by the appearance of large numbers of Indians on the border, whose bearing was insolent and menacing, and who were charged with clandestinely running off the stock of the settlers. The most urgent appeals came to me from these settlers, invoking again the protection of the State. From the representations made to me of the imminence of their danger, and the losses already sustained, I felt it my duty to summon into the field once more the Frontier Guards, adding ten more men to their number. After a service of four or five months they were again discharged, and paid in the manner prescribed in the act under which they were called out.

It is believed that this company afforded the needed protection, and saved, it may be, our hardy border settlements from another inhuman butchery.

The expenses of these two expeditions has cost the Treasury of the State \$19,800 paid, and about \$1,200 or \$1,500 unpaid, of contingent expenses, which did not seem to be provided for in the law, growing out of services rendered in procuring the necessary equipments and outfit, and the transporting and disbursing the money, &c., &c.

These claims, duly authenticated, have been placed in the hands of our Representatives in Congress, to the end that the State may be reimbursed. It is understood that this can only be done by getting through Congress a special act for that purpose.

I need not say that I opened a correspondence, both with the President of the United States and the Secretary of War, upon the subject of our exposed frontier, explaining to them the character of our difficulties, and respectfully solicited that protection which the Federal Government is bound to extend to the whole line of our borders. I received strong assurances from the President that this should be done, and a partial promise from the Sec-

retary that he would establish a garrison at some point between Fort Ridgley and Fort Randall, that should sufficiently guard and protect our frontier. Whether this has been done or not, I am not advised.

RAILROADS.

The establishment, at as early a day as practicable, of a system of railway locomotion over the State, uniting county with county, and one neighborhood with another, and thus linking together not only the four corners of the State with bands of iron, but putting us in connection with all the States east and south of us, is a matter of so much importance that few men, of any section or party, would wish to record themselves against it.

Their social and commercial advantages have been tested by millions in this country and in Europe, and they are forcing themselves upon the recognition of every civilized nation. We have a system of near 3,000 miles of railway projected, admirably adjusted to accommodate every part of the State, with only four hundred miles constructed.

Had we the means to complete the entire system, it would cause a wonderful transformation to take place in the settlement of our prairies, in the development of our coal mines and other mineral, in stimulating the productions of the soil, as well as the various branches of operative industry.

But great and obvious as are these advantages, there are just grounds for apprehending they will be for some time postponed to us. They cannot be built without large amounts of money. Capitalists are disinclined to invest in this direction any longer; it is claimed by many that the State ought not to give its aid; county subscriptions are now adjudged unlawful, and although this description of improvements are peculiarly adapted to the wants and the interests of the masses, they never yet have been prevailed upon to do much for enterprises of this kind. In this attitude of affairs, the question may well be propounded, how are our railroad schemes to be carried forward? The few enterprising men in the State who are engaged in this work unaided, cannot accomplish the task. A suspension would be disastrous to the best interests of the State. Already it is known that large numbers of emigrants have located in adjoining States, because of their superior advantages over us in railways. This subject is of no ordinary import, and is mentioned not because I have any specific recommendation to make, but for the purpose of asking your serious and earnest attention to our real condition in this respect, to the end that you may, in your combined wisdom, devise some method by which this work may be progressed, that the people of this State may have, under a system of completed railways, all the benefits and advantages enjoyed by the citizens of other States.

In regard to the four roads receiving land grants from the General Government, through the State, as the trustee, it will be remembered that the State, in the execution of this trust, imposed, among others, the following condition: "That in case either of said Railroad Companies shall fail to complete and equip seventy-five miles of its road within three years from the first day of December, 1856, then and in that case it shall be competent for the State of Iowa to resume all rights conferred upon the Company so failing, and to resume all rights to the land thereby granted, and remaining undisposed of by the Company so failing to have the length of road completed in manner and time as aforesaid."

If, after a full and careful investigation, and making all due allowances for the stringency of the times, it shall appear that any of these Companies have failed to comply with the requirements of the law, and the just expectations of the people, and are now unable, either through mismanagement or other cause, to go forward with the great work committed to their charge, then it will become your duty to make such disposition of the lands granted to such delinquent Company or Companies, as shall secure to the State the benefit of the grant, and give to the people along the contemplated lines all the advantages of a direct eastern outlet that they would have possessed if such default had not been made. I cannot dismiss this subject without advising the passage of an act that shall require a majority of the Board of Directors of all corporations organized under and in virtue of the provisions of our laws, to reside and keep their office of business within the State.

CAPITOL BUILDING.

This structure was erected at the expense of the School Fund, borrowed by six gentlemen of Des Moines City, for that purpose; for the re-payment of which, with ten per cent interest, they gave mortgages on their individual property.

The amount of money thus obtained from the Superintendent of Public Instruction, with ten per cent interest up to this date, (not paid) is \$52,130. The building cost, including the lots and interest, up to this date, \$53,733,61. The divided public sentiment in regard to the particular site it should occupy, precluded the possibility of building it at the common expense of the town or county. These men are quite unable to supply the State with so large and costly a building for nothing. The State ought not to consent to become a pensioner upon this bounty. It cannot do so without compromising its magnanimity. She ought to own this building—it is convenient, substantially built, and worth the money it cost. The State has been in the occupancy of the building over two years—made important changes and improvements upon the same—inconsistent, perhaps, with the legal rights of the

proprietors—and it will now answer the purposes of a State House for years. In view of these facts, it is gravely suggested whether the interest and honor of the State would not be quite as well subserved, by directing the mortgages against these men to be cancelled, assume the liabilities to the School Fund, and pay to them the difference between this fund and the cost of the building.

JAMES D. EADS, LATE SUPERINTENDENT, &c.

Under your legislation, I was instructed to appoint a Commissioner to settle with the sureties of this defaulting officer, upon the basis therein specified. Robert A. Russell, Esq., a competent person, was assigned to this duty, but failed, after several attempts, to negotiate such settlement upon any terms whatever; whereupon I directed suit to be instituted against the said Eads and his securities, for some \$71,880.97, being the amount of his supposed defalcation. Although the cause was expected to have been tried last month, the result has not yet transpired.

GEOLOGICAL SURVEY.

Since your last session, this work has not progressed as rapidly as could have been desired. The year 1858, was mostly employed in preparing and publishing the result of the survey in the eastern portion of the State, which made a large volume, in two parts, and has drawn from the scientific world the most satisfactory testimonials of its merits. Charged as I was, with the distribution of some two or three hundred copies of this work in foreign lands, I was able, through the agency of the Smithsonian Institution, and the assistance of Professors Hall and Agassiz, to make such a distribution as will, in my opinion, tell largely for the interest of the State.

A list of the nations, societies, institutions and scientific journals, &c., to which copies were sent, will be found in a communication from the State Geologist to the Executive, herewith submitted for your inspection, and from which you will also learn other details in respect to the present condition, as well as important suggestions bearing upon the future of this enterprise.

At the time of the last appropriation the State was more largely in arrear, with the expenses of the survey, than was anticipated; the payment of which absorbed so much of the appropriation, that there was not a sufficiency left to form an effective organization for working out the Geology of the western part of the State, and hence, in part, the little progress made the last two years.

It is due however, to Professor Hall, to say that he has had two assistants in the field, working out the details of some portion of the State before explored, and which will make a part of the materials of the second volume.

In addition to this, he has already published a supplement to his first volume, containing descriptions of new species of *crinoidea* and other fossils, chiefly from the Burlington and Keokuk limestones, which will give this branch of the survey a very prominent position, and make the carboniferous limestones of Iowa classic localities.

It is but just toward the west half of the State, that this survey should go forward. The very favorable reception which the first volume has met with on the part of the public—the numerous applications for it from all sections of the country, which could not be supplied, and the highly commendatory notices of it which I have received by letters from scientific gentlemen, make it but too evident, that the money expended on this work, has not been lost to the State.

PENNSYLVANIA.

This State has been pleased, in the face of the constitution, to levy a tonnage duty upon all the freight that passes over her great central railroad, whether transported east or west, by residents or non-residents.

It is true, this duty is collected and paid into the treasury of that State for revenue purposes, from the company operating this road; but it is, in fact, paid from the pockets of the freighters themselves, among whom the business men of Iowa, constitute no inconsiderable a number.

This was, and is a clear violation of the Federal compact, as I believed, and was advised by learned counsel, and therefore felt it my duty to direct a suit to be brought in the name of the State of Iowa, against that State, to test the validity of such a law, in the courts of the country.

CODIFICATION AND REVISION OF LAWS.

The commissioners appointed to prepare a code of civil and criminal procedure, and to revise and codify the laws of the State, will spread before you the work of their hands, which should engage your attention in the early session, whilst the several committees are preparing other measures for your consideration.

The very cursory reading which I have been able to give to a portion of the civil practice act, made a favorable impression upon my mind, and it is to be hoped, upon a full and careful examination by you, that it will be found quite acceptable, and that you will not feel it necessary to make many changes in the same.

INVESTIGATING COMMISSIONERS.

Under the law of 1858, requiring me to appoint Commissioners

to investigate the State Executive offices, I appointed Messrs. Jno. A. Kasson, J. M. Griffith and Thomas Seeley, whose reports will be laid before you.

Their examinations have embraced the transactions of several years, and their reports contain much valuable information and statistics not elsewhere found. Indeed, a very cursory inspection of their reports, will show how full and satisfactory, and at the same time, with what ability and thoroughness the investigation has been conducted; making it unnecessary, perhaps, ever to go back of these reports for additional information, in regard to the manner in which the business in these offices has been conducted. They present, in my judgment, many important suggestions respecting the executive administration, some of which may require legislation, and to which I ask your careful attention. Among the more important topics presented by them for consideration, I mention the following:

OFFICE OF SECRETARY OF STATE.

In this office are deposited most of the bonds executed to the State. No provision of law exists for recording them. Many of them secure the State against malfeasance in office, in very large amounts, some of them being for over 200,000 dollars. The Commissioners suggest that it should be required by law, that the officer charged with the custody of any such bonds, should immediately, on filing it in his office, deliver it to the Register of the State Land Office, to be recorded in a volume to be kept for that purpose, and that such copy and certified transcripts from it, should be made prima facie evidence of the contents of the original in courts of justice in this State. The original and the copy being thus kept in separate departments, would diminish the hazards of loss by fire or otherwise.

STATE LAND OFFICE.

It appears by their report on this office, that sundry books are still wanting, to comply with the terms of the act establishing that office, and fully to accomplish the object of its establishment; also, that no records or papers respecting the territorial grant of lands on which Iowa City is situated, were found in the office.

It further appears that many errors exist in the patents of lands issued by the Secretary of State, prior to the organization of this office, which demand correction and adjustment. Other important facts and suggestions are contained in the report on this office, to which it would be well to give attention.

OFFICE OF SUPERINTENDENT.

This department was found in a very unsatisfactory condition,

mainly attributable to the confusion occurring during the superintendency of Mr. Eads. The commissioners were unable to state the accounts of that office from any reliable data found among its papers or books. From data found elsewhere, they ascertained the amount of the 5 per cent. fund received from the United States, up to the 1st of June, 1858, to be..... \$552,609.08
 And amount of premium on drafts therefor, by Col.
 Benton, to be..... 87.98

Making a total of..... \$552,647.06
 Of which is only accounted for..... 403,672.86

Leaving a balance unaccounted for of..... \$148,974.70

This amount represents the sum loaned to individuals, retained, or otherwise disposed of by Mr. Eads; the condition and security of which was reported upon by J. M. Beck, Esq., under the direction of a former General Assembly, but which is more fully traced out in the report of the commissioners, who find against Eads an actual deficit of some \$72,880.97; subject, however, to a deduction of Waite's note \$1,000, since paid, and whatever else may be realized from the collaterals held by the State.

The commissioners found no account in this or any other office, showing the amount of school fund chargeable to the several counties of this State, as five per cent. fund distributed to them, or as proceeds of sale of school lands held by them, and enabling them to ascertain reliably the present amount of the school fund of this State.

Taking the figures furnished by the last report of Superintendent of Public Instruction, and correcting the computation made by him, the total amount appeared to be \$2,071,241.59. But they do not consider this sum reliably ascertained.

The present constitution (Art. 7, sec. 3,) requires that all losses to the permanent School or University Fund of this State, which shall have been occasioned by the defalcation, mismanagement or fraud of the agents or officers controlling and managing the same, shall be audited by the proper authorities of the State. The amount so audited, shall be a permanent funded debt against the State in favor of the respective fund sustaining the loss, upon which not less than 6 per cent. annual interest shall be paid.

The commissioners are of opinion that no data exist at this time in any of the State offices, for the discharge of this constitutional duty, and that only the particular examination by a local or general agent in each county, together with a special examination in the State land office of lands sold pertaining to this fund and the consideration therefor, as shown by certificates of purchase and payment, and on examination in the Auditor's office, of vouchers of five per cent. fund distributed to the counties, will render it possible to audit this constitutional claim.

I should be faithless to my convictions of duty, if I did not endorse and specially invite your attention to some cogent reasons which they also offer for a partial change in the management of this fund. While the people of the whole State are liable for losses to the fund, it is only the people of the county who designate and elect the officers managing it in its counties. They suggest that the counties, as principals, should be responsible to the State for the conduct of their own several agents, that the responsibility of loss may rest upon those only who control its management. This principle is one of universal application in law, is just, and is well worthy of your consideration, as likely to increase the care and vigilance of the people in protecting this important fund from loss. This fund is dedicated to the support of common schools. The efficiency of the system will depend much upon the promptness with which the annual interest upon the fund is paid. I learn that interest to the amount of \$120,000 is now due, that should have been paid a year ago or more. The annual payment of interest due this month, it is expected, will greatly add to this sum. It is believed that if the counties were made corporately responsible for the payment of the interest of their defaulting citizens, the moral effect would be to stimulate the loanees to pay more promptly their interest, inasmuch as they would be less willing that their own neighbors should pay for their laches than the State at large.

Again, it is suggested whether the annual payment, by the counties, of nine per cent. interest, they loaning it at ten per cent. would not realize a larger annual revenue to the fund, and be much more reliable for the support of common schools, than the irregular payments of interest at ten per cent. dependent upon the promptitude of individuals.

The liability for the principal or the interest of this fund, cannot be forced upon the counties. But it is supposed that the State has the power to withdraw the funds from them, unless, under authority of your legislation they would assume the liability proposed for the conduct of their own officers and agents, in the management of the fund. For other important suggestions bearing on these questions, I respectfully refer you to the 16th and 17th pages of the report upon this office. Also, to a resolution passed by the Board of Education, at its last session, expressing similar views.

TREASURY DEPARTMENT.

The very full report of the commissioners upon the Treasurer's office, presents several important tables and accounts. The late Treasurer has, during his three terms of office, up to June 1, 1858, received for general purposes, \$988,560.92. Tabular statements are furnished, showing the sources from which this amount was derived. After reviewing this entire account, they find a balance

against the State Treasurer larger than that fixed by the Auditor, by the sum of \$315.28, and ascertained by actual count, on that day, the sum of \$845.66, as wanting in the treasury, of which \$315.28 was not called for by the Auditor's settlement; and of the remainder, a partial explanation is given in the report. At that date a portion of the funds called for was represented by certificates of deposit, which were afterwards redeemed, and the money placed in the treasury.

They found in the Treasurer's office, an account which has been lost sight of for many years past, relating to the sale of lots in Iowa city, and the payment to the treasury of a small annual salary therefor under the supposed authority of a territorial act. I call your attention to the facts there presented, and to the propriety of a transfer of the books and papers relating thereto, from the offices of the Secretary and Treasurer of State, to that of the State Register, and the transfer of the control of any bonds or lots there remaining unsold, to the same office, with instructions to report at your next regular session, the condition of said property; how much yet remains to be sold, whether there have been any lots or lands sold, the purchase money of which has not been paid, &c.

Since the date of their report, the system of book-keeping in this office has been changed, and many of their suggestions adopted; the incoming Treasurer having opened new books and improved the system of accounts.

They urge, however, the importance of more frequent settlements with the Auditor, than those now required by law. I commend the various suggestions touching this department of State administration to your sound consideration.

AUDITOR'S OFFICE.

The report upon this office shows some differences in amount of warrants issued, from that indicated by the various Auditors' reports since November, 1852. After examining every warrant entry on the register from that date up to the first of January, 1859, they were posted to certain schedules shown in their report, the total of which should balance the total amount of warrants reported by the several Auditors as issued during that period. There is, however, a discrepancy, partial explanations of which are suggested by the report.

The difficulties in the way of their examination, and of satisfactory results from it, have led them to recommend a radical change in the system of keeping books and accounts in this office. Many improvements, I understand, have been introduced by the present Auditor, not reaching, perhaps, all the changes which they recommend. For the details of this subject, I refer you to the report itself.

They also call attention to the expediency of separating the appropriation bills for the regular and permanent expenditures of government, from that for occasional expenditures usually included under the general appropriation bill. When the former are made for two fiscal years, as has been the custom, it practically leaves the government without appropriations for the period, from the first of November, the close of the fiscal year, until the next appropriation, which is usually in March.

I concur in their suggestion, that the fiscal year and the calendar year should now be made identical.

They also suggest a mode of keeping the accounts by certain schedules, which will guard against over-drafts of appropriations by accident, or otherwise, which, also, is commended to your attention.

It is further recommended that a special deputy be assigned in this office to the keeping of the books and accounts of the School Fund, now amounting to over \$2,000,000, and still increasing; the charge of which has recently been transferred to this office, and which ought to be kept entirely distinct from all revenue accounts. A complete examination and settlement of the account between the permanent and temporary school funds, and the different counties of the State, should be made and regularly kept.

For several years past the accounts of these funds have been greatly confused, and the necessity of a reform I have already indicated.

EXECUTIVE OFFICE.

Among others, you will examine their report upon this office, which contains suggestions worthy of your notice. The Commissioners append to each report a list of the books and papers of each office, which show the description and extent of these Archives of the State. Their general review of the actual condition of the several offices, and the past legislation affecting them, which has involved much labor on their part, will be permanently useful in any legislation introducing reforms or increasing the security or facility of transacting the public business.

REFLECTIONS.

I have thus given you, perhaps, an unnecessary detailed exposition of the affairs of the State, so far as they pertain to its several financial and executive departments, accompanied with such suggestions, in regard to improving their condition, as seemed to me to call for your careful consideration.

During my brief administration, I have scrupulously endeavored to omit nothing that could protect or advance the diversified interests of the State.

In the unadjusted condition of our various land grants, in the

abuses, frauds, and mismanagement of our school funds and lands, in our border difficulties, coupled with other official duties, I have found my time constantly employed.

In closing this communication, I desire to say, that, although our people have received a terrible shock to their hopes, I have, myself, an abiding faith in the future of Iowa, founded upon the laws and elements of growth—upon her recuperative powers, and the genius and enterprise of her people. But then in this respect they should have fair play. This genius and enterprise should be duly encouraged and directed into proper channels. Let our system of railways be completed—cease to tax the labor of our people by emancipating from taxation all improvements, the product of their industry made upon the soil—give, under the homestead bill proposed in Congress, the ten thousand scores of homes, which we still have in reserve for the landless poor, that they may have a little spot of free earth which they can call their own.

Give to our young farmers and mechanics the benefits of Morrill's Agricultural College Bill, which proposes to develop a new interest, and an increased efficiency in general husbandry and the useful arts, by bringing to their aid the treasures of science and knowledge, so that the *labor* thus educated, which may be expended upon the soil, should yield the richest reward with the least expense. These two national measures, so comprehensive in their range of usefulness, demand a public recognition at your hands. But what is of still more importance than all these, and upon which our wealth, strength, and prosperity will more immediately depend, is such an organization of the industry of the State as would enable our people to work in combination with each other, and so to diversify their labor and employments, that they may furnish for themselves the facilities for obtaining most of the necessities and comforts of life. The teachings of a true social economy forbid that a whole State should engage in one pursuit, not even that of agriculture; grand, noble, and indispensable as it is.

For this would compel the State on the one hand, to lose all the labor that could not be employed in the field, and on the other, deprive our citizens from making exchanges among themselves, and compel them to export their surplus produce to distant markets, at great cost. This, perhaps, would suit our Eastern neighbors, who would be glad to have the loom and anvil left to their management and control, and we, in the West, supply them with the products of the field, and their workshops with our raw material.

The immediate effect of this policy, however, would be to suppress manufactures at home, and build them up abroad, whilst the cost of transportation both ways would fall upon us and ever keep us poor. But the important fact is, that the true interests of our people lie in another direction. Take an illustration. Last year

we saved for ourselves a half million of money in the manufacture of Sorghum molasses and sugar, which, under the system indicated, would have gone out of the State for the purchase of sweetening, in some form. A few more years will put an end to this drain upon our pockets, for such objects. Why not carry this principle a step further? tan our own leather—make our own boots, shoes, and hats—manufacture all our agricultural implements—all our household furniture—our woolen and cotton cloths—our wagons, carriages and harness—our barrels, baskets and brooms—our cars and locomotives—our engines and machine work of every description. Under this system of economy we would not send our rude materials one or two thousand miles to be worked up, and returned to us with the cost of finished commodities added to that of transportation for our own use; under which process our money would not always be flowing out of the State. But they would be manufactured in our midst—the producer and artizan would be brought face to face—they would operate their several branches of industry along side of each other. What one class of operatives produced, would be consumed by others, and thus their exchanges would be made upon the same theatre of action; a home market created—their money, or the profits of their labor, retained in the State, to be employed either in the arts and adornments of life, or in some other enterprise where it would again re-produce itself in some other form. Under no other system of operative industry has any State or people on earth ever become rich and powerful.

But the question may be asked, how is this to be accomplished? The first step, undoubtedly, would be for the Federal Government to return to the tariff of 1842. The second, for the people of this State, and for you, by your legislation, to offer every possible inducement for artizans and manufacturers to settle in our midst.

This done, the population and wealth of the State will take a new bound. It will have the effect to refine and diversify the pursuits of our people—to emancipate labor and make it free—to give to the laboring masses a feeling of moral worth—a throb of self respect—a perception of the rights, dignity and duties of their calling.

Invoking the spirit of Divine truth to crown your efforts for the public weal with success, I now take my leave of this branch of the public service.

RALPH P. LOWE.

January 9th, 1860.

HALL OF HOUSE OF REPRESENTATIVES, }
 Wednesday, January 11, 1860, 10 o'clock, A. M. }

House met at 10 o'clock, pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

The Journal of yesterday read, corrected and approved.

On motion of Mr. Goodrell of Polk, Hon. Ed. Wright of Cedar, was sworn and took his seat as a member.

The following resolutions were received from the Senate, by their Secretary, Mr. Sanders:

MR. SPEAKER:—I am directed by the Senate, to inform the House that the Senate has passed the following resolutions, in which the concurrence of the House is respectfully asked:

Resolved, By the Senate, (the House concurring,) that E. H. Brown of Polk county, be declared Post Master to the 8th General Assembly. Also,

Resolved, (the House of Representatives concurring,) That the members of the Senate will meet the members of the House, in Joint Convention in their Hall, this day at 11 o'clock, A. M., for the purpose of canvassing the votes for Governor and Lieutenant Governor.

To all of which the concurrence of the House is asked.

(Signed)

J. H. SANDERS, Sec'y of Senate.

J. C. Curtis of Marion, offered the following resolution:

Resolved, That the Chief Clerk be instructed to furnish suitable desks for the use of Newspaper Reporters, within the bar of this House, and that they be permitted, during the pleasure of this House, to occupy the same.

Which resolution was adopted.

Pending the reading of the Message, the following resolution was introduced by Mr. Witter, of Linn:

Resolved, That the further reading of the Governor's Message be dispensed with, and that the same lie on the table.

Which was adopted.

Mr. Witter, of Linn, moved that a committee be appointed to wait upon the Senate, and inform that body that the House was ready to go into a Joint Convention for the purpose of canvassing the votes for Governor and Lieutenant Governor. Adopted, and committee appointed consisting of Messrs. Witter and Baker.

On motion, the House had a recess of ten minutes, to prepare for the Joint Convention.

The House was called to order, and Messrs. Witter and Baker reported having performed the duty assigned them.

The Speaker appointed Mr. Noble, of Fayette, to act as Teller in canvassing the vote for Governor and Lieutenant Governor, on the part of the House.

On motion of Mr. Goodrell, of Polk, a committee of two was

appointed to wait on the Senate and inform them that the House was now ready to go into Joint Convention.

Messrs. Goodrell and Peet were appointed said committee, who reported having discharged their duties.

The Sergeant-at-Arms announced the Senate, who entered the Hall, preceded by their President.

Whereupon, the President of the Senate announced that the Convention had met to hear the result of the vote for Governor and Lieutenant Governor of the State of Iowa.

Mr. Pusey, of Pottawattamie, was appointed teller, on the part of the Senate.

On calling the roll, the following members were absent : Messrs. Hall, Hotchkiss, Claggett, and Robinson, members of the House ; and Messrs. Hammer and Patterson of Muscatine, members of the Senate.

The Speaker then proceeded to announce the votes of the several counties in the State, for the offices of Governor and Lieutenant Governor ; pending which, Mr. Wilson, of Dubuque, moved to have a recess till two o'clock, which was carried.

2 O'CLOCK, P. M.

The Members of the House and Senate, again met in Joint Convention, when the canvass was concluded with the following result :

FOR GOVERNOR.

Whole number of votes cast.....	110,047
Of which S. J. Kirkwood received.....	56,505
“ “ A. C. Dodge.....	53,542

FOR LIEUTENANT GOVERNOR.

N. J. Rusch.....	55,142
L. W. Babbitt.....	52,874
N. P. Rusch....	307
S. W. Baldwin.....	46
S. W. Babbitt.....	114
W. L. Babbitt.....	53
N. Rusch.....	10

Whereupon the President announced S. J. Kirkwood as being duly elected Governor of the State of Iowa, for the term of two years, and that N. J. Rusch was duly elected Lieutenant Governor of the State of Iowa, for the term of two years ; they having received a majority of all the votes cast at the election in October last : and certificates of their election were read and signed, as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, January 11th, 1860. }

This will certify, That upon a canvass in Joint Convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the last October election, A. D. 1859, for the office of Governor of the State of Iowa, it appeared that Samuel J. Kirkwood received a majority of all the votes cast at said election for said office, and was thereupon declared duly elected to the said office of Governor, for the term of two years, or until his successor is elected and qualified.

Signed in the presence of this Joint Convention, this 11th day of January, A. D. 1860.

ORAN FAVILLE,
Lieutenant Governor.

Attest: Teller for Senate, W. H. M. PUSEY.

Teller for House, L. C. NOBLE.

JOHN EDWARDS,
Speaker of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, January 11th, 1860. }

This will certify, That upon a canvass in Joint Convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1859, for the office of Lieutenant Governor of the State of Iowa; it appeared that Nicholas J. Rusch received a majority of all the votes cast at said election for said office, and was therefore declared duly elected to said office for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, on this 11th day of January, A. D. 1860.

ORAN FAVILLE,
Lieutenant Governor.

Attest: Teller for the Senate, W. H. M. PUSEY.

Teller for the House, L. C. NOBLE.

JOHN EDWARDS,
Speaker of the House of Representatives.

The following committee was appointed to wait on the Governor and Lient. Governor elect, and inform them of their election, viz: Messrs. Dennison, Kellogg and Merrill of the House, and Messrs. Trumbull and Powers of the Senate.

Said committee reported having performed their duty.

On motion of Mr. Goodrell of Polk, a committee of two was appointed to wait upon the Judges of the Supreme Court and invite them to be present at the inauguration of the Governor.

Messrs. Goodrell of the House, and Duncombe of the Senate, were appointed said committee.

Mr. Bowen of Johnson, offered the following resolution :

Resolved, That the members of the Board of the State Agricultural Society, now in session in this city, be invited to take seats within this Hall, to witness the inauguration, and that seats be provided for them.

Adopted.

Messrs. Bowen of Johnson, and Dunlavey of Davis, were appointed said committee.

On motion of Mr. Wright, the Joint Convention adjourned.

The House was called to order, and on motion of Mr. Wright, a committee of two was appointed to inform the Senate that the House was now ready to proceed with the inauguration.

Messrs. Wright and Dunlavey were appointed that committee, who reported having performed this duty; when the Senate preceded by their President and Secretary entered the Hall of the House and took the seats assigned them.

On motion, the Chair appointed Messrs. Trumbull and Powers a committee to wait upon the Governor and Lieut. Governor elect and inform them that the Joint Convention was ready to proceed with the Inauguration.

On motion, Messrs. Goodrell and Duncombe were appointed a committee to wait upon and invite the members of the Supreme Bench and officers of State to be present at the inauguration.

Mr. Bowen of Johnson, renewed his motion that a committee of two be appointed to invite the members of the Agricultural Board also to be present. Carried.

Messrs. Bowen and Dunlavey were appointed said committee.

The members of the various committees reported having performed their several duties.

Senator Anderson was called to the Chair, after which His Excellency the Governor and Lieut. Governor, together with the Governor and Lieut. Governor elect, accompanied by the Chief and Associate Judges of the Supreme Court and their successors in office, and the other officers of State, entered the Hall and were seated.

Whereupon Chief Justice Wright proceeded to administer the oath of office to Samuel J. Kirkwood as Governor, and Nicholas J. Rusch as Lieut. Governor of the State of Iowa.

When His Excellency addressed the Joint Convention as follows:

Gentlemen of the Senate, and

the House of Representatives :

The people of Iowa have placed in your hands, for the time being, the law-making power of the State, and therefore they look to you, that, during the time you hold this trust, such course of

policy shall be pursued and such laws enacted, as will tend to promote the honor and the welfare of the State.

The office to which I have been elected, and the responsibilities which I have just assumed, associate me with you, to a certain extent in this work, by imposing upon me, among other duties, that of communicating to you such information as will aid you in the performance of your duties, and recommending to you such measures as in my opinion will, if adopted by you, advance the public welfare.

Under a government like ours, where the people are the source of all political power, the laws are necessarily a fair reflex of the intelligence and morals of the people; and therefore it becomes of the first importance that the standard of intelligence and morality should be raised as high as possible. In this view it has been the settled policy of the State to foster and encourage, in all suitable ways, the education of the youths of the State, so that when at a more advanced period of life, they take part in the direction and control of public affairs, they can do so understandingly, and with an intelligent regard to the public welfare. Under our Constitution the subject of education has been almost wholly withdrawn from you, and placed in the hands of a board specially constituted for that purpose, leaving with you, however, the power of revising and amending their action. This board has just closed a session, at which they have made such changes in, and amendments to the school law as they deemed expedient and proper, and in my opinion it would be prudent for you to interfere with their action only in case that you shall find, upon examination, an overpowering necessity for so doing.

Not only is it highly important that the voice of our people, as expressed through the ballot box, shall be enlightened and intelligent, but it is imperatively necessary that the utterings of that voice be correctly and honestly reported. In a government like ours, without privileged classes, and where the laws affect all alike, we need not fear that a majority of our people will deliberately pursue a policy intended to operate injuriously upon the public welfare, because by so doing they would be acting contrary to their own best interests. We therefore feel at all times safe in submitting quietly and cheerfully to the will of the majority fairly and Constitutionally expressed, confident that if at any time, from any cause, the people are led into error, they have the sagacity speedily to detect and the honesty promptly to correct the error. But if through fraud or violence, the ballot box shall cease to report to us correctly and honestly the will of the majority; if corrupt and interested men are enabled to substitute their will for that of the people, then the assurance of safety derived to us from the honesty, the intelligence, and the interest of the people, no longer exists—our confidence in our government is lost, and we feel that we are at the mercy of dishonest men, who seek the control of our affairs

for the purpose of promoting their own private interests rather than the public good. We cannot, therefore, guard with too much care, the sanctity and purity of the ballot box. In my opinion, there is no measure so well calculated to effect this object, as a carefully prepared and well guarded registry law; and I respectfully recommend that measure to your consideration. It may be objected by some, that the operation of such a law is burdensome to the electors. I am satisfied that the supposed difficulty, in this respect, is much over-estimated, and even were it not, I cannot conceive that any elector who properly appreciates the value of the privilege he enjoys as such, will deem burdensome any reasonable amount of time and attention that it may be necessary for him to bestow, in order to prevent his honest vote from being destroyed by a fraudulent one.

The institutions for the care of the insane, and for the education of the mute and the blind, will, I doubt not, receive from you prompt and cheerful attention and support. Established as they have been, in answer to the requirements of those better feelings of our nature, which prompt us to protect the weak and succor the unfortunate, you may rely with confidence upon the approval by our people, of all reasonable and proper efforts on your part to make them useful and efficient means for carrying out the noble purposes for which they were created.

I would also recommend to your favorable consideration, the State University, at Iowa City. It is based upon a grant made by the Congress of the United States to this State, for the support of such an institution, and, having accepted the grant, we are bound by a proper sense of State pride, by our duty properly to execute the trust confided to us, and by the interests of education, in which are involved the best interests of the State, to render the institution such an one as will be useful and creditable to the State.

The condition and affairs of the penitentiary, located at Fort Madison, will necessarily engage your careful and serious attention. The safety of society requires that the building be such as will afford proper facilities for the safe confinement of those vicious persons whose liberty is dangerous to the lives and property of peaceful and law abiding citizens.

An Agricultural College was originated at the last session of the General Assembly, and has since been located in Story county. Agriculture will be for many years to come, as it has been in times past, that interest which underlies and supports all other interests in our State; and any aid that can legitimately be given to it, should be given generously and not grudgingly. I have not sufficient information touching this institution, to enable me to make any specific suggestions in regard to it, and can only recommend the whole matter to your careful and friendly consideration.

The present condition and future management of the permanent

school fund of the State deserve your serious investigation and deliberation. Under former and existing laws, this fund has been lent to individuals, and in many cases either through the carelessness or dishonesty of the officers by whom it has been lent, the securities taken therefor have proved to be entirely inadequate, so that large losses to the fund must ensue. By a provision of our Constitution, all these losses fall upon the State and become a funded debt upon which the State must forever pay the interest. Many of the loans thus made, are now or soon will be falling due, and it becomes a matter of grave importance to determine in what manner the moneys when paid shall be again disposed of. I consider the present system open to much objection. Not only are losses of the principal constantly occurring under it, which the State is bound to make good, but even the interest is not promptly paid, so that the active fund for the support of schools is fluctuating and uncertain. I am strongly inclined to the opinion that a better policy would be to direct the payment of the principal, as it falls due, into the State Treasury, to be used as other moneys for State purposes, binding the State to pay the interest on the same for school purposes. In this way the money would, in the first instance, go to the benefit of all the people of the State alike by lessening to that extent the amount of money to be raised by taxation, and the interest would, in like manner, be paid by the people and be applied directly to their use in the support of the public schools. If this shall be deemed objectionable, I would recommend that the money when paid in, be invested either in stocks of the United States or in the best stocks of interest-paying States. In case you shall deem it proper to adopt this or a similar policy, it will be advisable to vest in the officers to whom the money shall be paid, in the first place, discretionary power to grant indulgence of time to those borrowers whose loans are amply secured, so as not to cause unnecessary hardship or distress, during our present financial difficulties.

I would also suggest to you the propriety of a careful examination of our revenue system, with a view to ascertain if it cannot be made more certain and efficient. Any system of revenue which permits large amounts of taxes to become delinquent and to be ultimately lost to the State, must be defective, and must operate unjustly and unfairly upon our people. The deficiencies thus created in the revenue must be provided for by additional taxation upon those who have already discharged their duty as citizens, by paying the taxes assessed upon them, and they are thus compelled to bear more than their due proportion of the public burden. The laws should provide for the most rigid and exact accountability of all officers charged with the collection, control or disbursement of the public money. Any vagueness of the laws which permits an officer to retain in his hands, without detection, any portion of the public moneys, or to use them for his private benefit, not only de

frauds the revenue, but introduces among officials a laxity of morals highly dangerous to the public interest. The Governor is authorized, by a law passed at the last session of the General Assembly, to institute a careful examination of the accounts of the State Officers once in each year, and I have not any doubt that the law will be found beneficial in its operations. But the amount of money paid by our people into the State Treasury, is but a small proportion of the total amount paid by them in the shape of taxes. A much larger amount is paid for county and other purposes, and in my opinion the existing laws are defective in not requiring a more careful scrutiny of the accounts of those to whom this money is paid, and by whom it is disbursed. I therefore recommend to your consideration, in addition to any other measures your wisdom may suggest, the passage of a law requiring the Judge of each Judicial District, to appoint once in each year a skillful accountant in each county of his District, whose duty it shall be to examine carefully the books of each county officer, and to state and record an account between such officer and his county, and when necessary, between officer and officer. Such examinations by disinterested persons, would, in my opinion, have a decidedly beneficial effect; the expense attending them would be very small, and I have no doubt the people of the counties would cheerfully bear that expense for the satisfaction of knowing that the large amounts of money they pay as taxes, are applied to the proper object.

I apprehend it is scarcely necessary for me to recommend to you as close and rigid an economy in the matter of appropriations as is consistent with a proper administration of the affairs of the State. The scarcity of money, consequent upon the financial revulsion of 1857, and the failure of our crops, to a great extent since that time, has caused the payment of the taxes necessary to the support of our government, to be felt as a sensible burden by our people; and they have the right to demand, and I think, do demand at our hands, that until the present pressure is somewhat removed, and our financial affairs have become somewhat more easy and prosperous, we shall limit the expenses of the State to the smallest sum compatible with a due regard to the public interest.

An event has recently occurred in our sister State of Virginia, causing in that State an intense excitement, which has, to a greater or less degree, extended throughout our country. I allude, of course, to the late unlawful invasion of that State by John Brown, and his associates. The moving causes that led these misguided men to that mad attempt, in my opinion, may be easily and certainly found. On the 4th of March, 1853, President Pierce was inaugurated as the chief magistrate of a happy and united people. The administration of his predecessor had been marked by a settlement of the agitation of the question of slavery, grow-

ing out of the acquisition of territory from Mexico, as the administration of Mr. Monroe had been marked by the settlement of a similar agitation in connection with the territory purchased from France during the Presidency of Mr. Jefferson, and as these two settlements covered all the territory then belonging to our Government, our people fondly hoped that for a long period of time, this vexed and irritating question would be kept out of our national councils, and that the angry and embittered feelings always arising from its discussion, would then die out for want of food. As an additional basis upon which to rest this hope, our people had the solemn pledge of honor of the political party then dominant in all the branches of our national government, deliberately given at the time Mr. Pierce was nominated by them for the Presidency, that if placed in power they would resist, to the extent of their power, the agitation of that dangerous question, both in the Congress of the United States, and out of it. Unfortunately for the peace of the country, and for the preservation of those kindly and fraternal feelings which should always exist among our people, Mr. Pierce and his political friends did not redeem that pledge. On the contrary, the first important act of his administration was the passage of the Kansas-Nebraska bill, by which the settlement made during Mr. Monroe's administration of the question of slavery in the territory acquired from France, was set aside, and the fountains of strife so recently closed, again opened to pour forth among our people their bitter waters. The excuse offered for this wanton, uncalled for, and most unfortunate act, was the alleged desire on the part of those who did it, to settle the question of slavery, then in a state of perfect quietude and repose; and this was to be done by introducing into our legislation a new policy which denies to Congress a power claimed for it by the founders of our government, and exercised by it from the beginning, which declares that to be unconstitutional which the makers of the constitution declared to be constitutional, and which rests upon the strange assumption that the government of the United States cannot set up and maintain in the territories of the United States a form of government demanded by a majority of our people, and identical in the disputed particular, with the form of government of a majority of the States of our confederacy. If the men who did this thing, did not know that their action would again produce among us agitation, heart-burning, jealousy, and ill-will, they were so wholly ignorant of the temper and feelings of our people, as to make them unsafe public servants. If they did know, they were unfaithful. In either view, they were faithless to the pledges they had given, as the inducement for placing power in their hands. The Kansas-Nebraska bill was long pending, and its passage was strenuously resisted in Congress. The debates in that body upon it were acrimonious and exciting; the discussions in the public press were bitter and inflammatory, and

when the passions of the people in the different sections of our country had been thoroughly aroused, their prejudices inflamed, and their pride enlisted in the contest going on in the halls of Congress, that contest was by the passage of the bill, transferred from these halls to the plains of Kansas; from the representatives in Congress to our entire people; and thus was cast into the arena as a prize to be struggled for by an aroused and excited people, a territory which, in size, in soil and in climate, is equal to some of the most powerful monarchies of the old world. Did the men who passed that act expect and desire that struggle to be a friendly and a peaceful one? The country would fain so believe, yet such belief requires that we should attribute to them a want of knowledge and foresight but little less criminal in men in their position, than would have been the expectation and desire by them that the struggle should be as it was, a hostile and a bloody one.

It is my deliberate conviction, that on the day on which the opponents of this new and most unfortunate measure, aided by a few of its original friends, defeated its legitimate consummation by defeating the passage of the so-called Lecompton Bill, which sought to enforce upon the people of Kansas a Constitution they abhorred, and which would have required, for its enforcement, the aid of federal bayonets,—on that day, the union of these States met and escaped the greatest peril to which it has yet been subjected. But happily for all, unexpectedly to the fears of many, adversely, perhaps, to the wishes of some, that great peril was escaped; and Kansas, with a Constitution which accords with the legislation which in the last generation dedicated her to freedom, and with the wishes of her people, stands ready to ask admission into our Union, as a free State. I do not recur to these past transactions for the purpose of again stirring up ill-feelings now measurably appeased, but for the light which, in my opinion, they throw upon present events. It is as true now as it was in the olden time, that “they who sow the wind shall reap the whirlwind.” During the struggle in Kansas—which makes her story a blot on the page of our country’s history—the free State men of that territory were treated by their pro-slavery brethren, in that territory, and in the States, and by the General Government, as if they had not any rights, legal or natural, which either were bound to respect. Is it strange, that some of them should have ceased to respect the rights of those whom they looked upon as their oppressors?—should have learned to hate the institution for whose advancement they were oppressed? During the same period, that other new policy, called fillibusterism, and the doctrines by which it is sought to be upheld, attained full force and vigor. It was insisted, in substance, by our southern brethren, and either openly or tacitly approved by many in the north, that if our people should find upon our borders, or within reasonable reach of us, a weak and helpless nation, who could be attacked with comparative safety,

and whose form of government did not attain to our standard of perfection, it was not only the privilege, but the mission of such of our people as desired to engage in the laudable undertaking, to invade her territory with fire and sword; to bring upon her peaceful inhabitants, men, women and children, all the horrors of war; and having thus carried through and perfected a process of "regeneration," to establish on the ruins of her government, our own free institutions, prominent among which, according to the advocates of this doctrine, stands human slavery.

Is it strange that the bare promulgation of these doctrines, acting upon the minds of men maddened by the recollection of wrongs inflicted upon them in Kansas because of their love of freedom, should lead them to the conclusion that they should do and dare as much at home for liberty, as those who have oppressed them were doing abroad for slavery? It seems to me most natural, and while I deeply deplore and most unqualifiedly condemn, I cannot wonder at the recent unfortunate and bloody occurrence at Harper's Ferry. But while we may not wonder at, we must condemn it. It was an act of war—of war against brethren, and in that a greater crime than the invaders of Cuba and Nicaragua were guilty of; relieved to some extent of its guilt, in the minds of many, by the fact that the blow was struck for freedom, and not for slavery. Still it was a wrong, and as such the deliberate public sentiment of the north, as well as of the south, condemns it. In my opinion, much misapprehension exists on this subject among our southern brethren, and this misapprehension renders proper the present allusion to it. The mass of them relying upon the statements of the leading men of the south, who should know better, and of prominent men in the north, who do know better, but falsify for a purpose, believe that the sympathy expressed by many of our northern people for the leader of that invasion, covers and contains an approval of his act. This is a great, and it may become a dangerous error. While the great mass of our northern people utterly condemn the act of John Brown, they feel and they express admiration and sympathy for the disinterestedness of purpose by which they believe he was governed, and for the unflinching courage and calm cheerfulness with which he met the consequences of his failure. Many, very many, of our northern people, felt deep sympathy for the gallant Crittenden, who died so bravely in Cuba, for an act they strongly condemned; and the tears of many of the best and bravest of our revolutionary sires bedewed the grave of Andre, who, by their own judgment, died the death of a spy, his sentence approved by Washington. When passion has passed away, and calm reason has resumed its place in the minds of our southern brethren, they will fully appreciate our feelings, and then, if I do not mistake them, while with us they condemn yet pity John Brown as a misguided but not base minded man, they will also with us detest and scorn those men in our midst who now seek by

distorting our language and falsifying our sentiments, to use the passions and prejudices of our southren brethren as a means to pave their own base way to power and place.

I cannot concur in the opinion expressed by some persons, that the constituted authorities of the States of this Union have discharged their entire duty, when they have looked to and cared for their own internal affairs, and that they travel out of their legitimate sphere when they in any manner concern themselves with the affairs of our General Government. The several States, as such, are the constituents of one branch of the National Congress, and if it be true that the constituent may and should concern himself with what is done by his representative, it must be true that each State may and should concern herself with the actions of that General Government of which her representatives are a part; if it be true that the States of our Confederacy are interested in the administration and preservation of that compact but for which they would be wholly independent and rival, perhaps hostile sovereignties, instead of one great and united nation, it must be true that they may and should concern themselves with the manner in which those to whose hands that administration and preservation are committed, discharge their trust.

The passage by Congress of the measure commonly known as the Homestead Bill, would, in my opinion, be productive of much good, preventing in a great degree the acquisition, by speculators, of large bodies of the public lands, to the injury of the actual settlers, and by enabling many honest and industrious poor men who cannot now do so, to enroll themselves in the class of independent farmers who are the support and strength of our country. The government price of a quarter section of land may appear to many a small and insignificant sum, but the many thousands of the farmers of the west who have opened farms either "in the woods" or "on the prairies," can more justly appreciate the great benefits derivable from that small amount in their work of toil and privation. I respectfully recommend that you memorialize Congress for the passage of such a law.

The building of a Railroad to the Pacific Ocean, is a measure which, in my opinion, is demanded by the best interests of our whole country. In case of war with any of the great maritime powers, the States on the Pacific would be peculiarly open to attack, and our Government could afford them the necessary aid for their defence, only at great risk and enormous expense. Troops could not be sent to their assistance through our own country, except by the overland route, which experience has shown to be, for an army, almost impracticable; while if sent by any other route, they might be compelled to fight their way to the States they are sent to defend. It seems to me to be a bad policy that would compel us to depend upon other nations for a right of way to our own posses-

sions and our own homes, when we can have such way within our own limits.

A great central trunk route, with branches at either end to accommodate all parts of our country, both upon the Atlantic and Pacific, would meet our wants and commend itself to the sound sense and calm judgment of our people. I also recommend that you memorialize Congress in favor of that measure.

There is one aspect of the vexed and exciting question of slavery to which I wish to direct your attention, as one upon which perhaps our whole country can harmonize. Recent events in Virginia have drawn the attention of our southern brethren to the danger surrounding them, by reason of the great number of free colored persons among them in contact with their slaves, and the excitement of the moment has caused some of their State Legislatures seriously to entertain the terrible proposition to compel this unfortunate people either to become involuntary exiles from the land of their birth, or to become slaves. The repugnance, the prejudice, if you will, of the people of the free States, especially of the north-western States, against allowing any large influx of these unfortunates among them, is well known, and must be heeded by those who make laws for those States. The dangers and difficulties attendant upon the presence of free colored persons in a slaveholding community, prevent emancipation by many who would otherwise gladly set free their slaves, and have in some States caused the passage of laws prohibiting or greatly hindering emancipation. Indeed, these dangers and difficulties are to-day the great hindrance to the abolition of slavery in and by the slave States, and the apprehended danger that in case the southern States should abolish slavery, the free States would at once be overrun by the ignorant slaves just manumitted, is skillfully used by partizan politicians among us, to reconcile the northern mind to the extension of slavery in other directions. Moved by these considerations, I deem it my duty to recommend to your careful and favorable consideration, a plan for the colonization of the free colored population of our country in Central or South America, under the protection of our General Government, brought forward in the Congress of the United States, by a distinguished member of that body from the State of Missouri, with the view that if the measure shall meet your approbation, you may memorialize Congress in its favor. The substance of this plan, as subsequently presented in the U. S. Senate, by one of the Senators from Wisconsin, is, that our Government shall by treaty with some of the Central or South American Governments, acquire "the rights and privileges of settlement and of citizenship for the benefit of such persons of color of African descent, as may voluntarily desire to emigrate from the United States, and form themselves into a colony or colonies under the laws of the State or States to which they may emigrate; the United States, in consideration of the commercial advantages of free trade with such

colony or colonies, making and securing the necessary and proper engagements to maintain them in the enjoyment of the rights and privileges acquired by such treaty or treaties." The colonization of this unfortunate race in some country peculiarly adapted by climate and production to their use and occupation, has long been a favorite scheme with a large portion of the people in all sections of our country, and until time and experience had shown the operations of the Society which proposed to colonize them in their native country to be, by reason of the expense, impracticable as a means for relieving our country of the vast numbers of these people among us, that Society received, as it justly deserved, a great degree of public favor. That the operations of that Society have produced, and will produce great good to Africa, I have no doubt, and I shall rejoice to see its ability for usefulness largely extended. But experience has shown it to be wholly inefficient as a means of removing from among us this large and rapidly increasing population. Colonization in Central or South America by means of the proximity of the proposed colonies, would be much less expensive, and therefore more effective; and if the General Government, supported by the several States, should take the matter in hand with earnestness and zeal, it seems to me that we might congratulate ourselves upon having done a work which would not only be productive of great good to ourselves, but also enable us to commence the payment of that vast and accumulated debt we owe this wronged and unfortunate race, and which would, perhaps, enable us to see the beginning of that most desirable end, when our land shall be in truth "the land of the free," as it has been and is "the home of the brave."

In conclusion, permit me to say that, although our political horizon is not unclouded, although anger and jealousy have to some extent taken the place of brotherly kindness and good will among our people, although some men occupying high position under our Federal and in some of our State Governments, influenced by pride and passion, utter sentiments disloyal to our Union; and others in like high position, but governed by baser motives, either openly or silently approve these sentiments; still, in my opinion, those who love our Constitution and our Union, have not very great cause for alarm. Passion will subside, reason will resume its sway, and then our southern brethren will discover that they have been deceived and misled, as to our feelings and purposes; that the people of the north, while hoping and praying for the day when no slave shall press our soil, yet do neither claim nor desire any power to interfere with slavery in any of the States where it exists; and that the good old ways wherein we walked, when to talk of disunion openly, or to approve it silently, was to incur the scorn due a traitor, are ways of pleasantness, and that the good old paths our fathers taught us to tread, are paths of peace. And they will join with us in believing that the men who achieved our

independence and framed our Constitution, were as true patriots, and understood the Constitution as well as the statesmen of the present day—will unite with us in following their teachings and walking in their footsteps, and in discarding these new measures, and this new policy, which have produced no fruits but those of discord and bitterness; and will again pledge themselves as we to-day pledge ourselves in the full depth and force of its meaning to the sentiment of the true and stern old patriot of the Hermitage—"The Union—it must and shall be preserved."

SAMUEL J. KIRKWOOD.

After which the Hon. Chief Justice Wright administered the oath of office to the Supreme Judges, to-wit: L. D. Stockton, Ralph P. Lowe and Caleb Baldwin.

On motion of Senator Davis of Polk, the Joint Convention adjourned without day.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Thursday, January 12, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of yesterday read and approved.

The Speaker appointed the following named gentlemen as a select committee to whom was referred the resolution introduced by Mr. Baker on yesterday, in relation to State Printing and Binding, viz: Messrs. Baker, Gurley and Clark of Johnson.

Mr. Speaker announced the following as the Standing Committees of the House.

Ways and Means—Messrs. Gurley, Taylor, Goodrell, Wright and Robb.

Judiciary—Messrs. Caldwell, Hall, Clark of Johnson, Williams, and Bowdoin.

Expenditures—Messrs. Goodrell, Jennings, Clark of Jefferson, Moser and Bracewell.

Schools and State University—Messrs. Bowdoin, Dunlavy, Hoag, Davis of Johnson and Williamson of Warren.

Claims—Messrs. Wright, Clark of Des Moines, Crawford, Withrow and Hedges.

Federal Relations—Messrs. Bereman, Claggett, Sabin, Beal and Gurley.

Charitable Institutions—Messrs. Witter, Stevens, McQuinn, Davis of Johnson and Connor.

Banks—Messrs. Clark of Johnson, Riddle, Glasgow, Witter and Hotchkiss.

Internal Improvements—Messrs. Merrill, Jones, Morehead, Price of Muscatine and Ellis.

Incorporations—Messrs. Ruddick, Bennett, Hunt, Bemis and Paulk.

Public Buildings—Messrs. Rosenkrans, Davis of Jasper, Robinson, Millard and Riddle.

Agriculture—Messrs. Gue, Robinson, Macomber, Whitaker and Barnes.

Militia—Messrs. Lambert, Price of Lee, Lynch, LeLacheur and Rosenkrans.

Elections—Messrs. Clark of Johnson, Rosenkrans, Campbell, Mangold and Doggett.

Enrolled Bills—Messrs. Dennison and Williamson of Warren.

Engrossed Bills—Messrs. Cowing and Dunlavey.

Rail Roads—Messrs. Goodrell, Kellogg, Bereman, Taylor and Darling.

State Library—Messrs. Noble, Baker, Hoag, Robb and Cottle.

Public Lands—Messrs. Sabin, Peet, Stanton, Gniffke and Quinn.

County and Township Organization—Messrs. Gillett, Baker, Lynch, Campbell and Blackford.

New Counties—Messrs. Shipman, Williamson of Louisa, Beal, Haskell and Harris.

Improvement of the Des Moines River—Messrs. Mitchell, McCollough of Lee, Tompkins, Rees and Caldwell.

Roads and Highways—Messrs. Streeter, McCollough of Jackson, Parker, Wright and Clark of Des Moines.

Message from the Senate, by Mr. Sanders, their Secretary.

MR. SPEAKER:—I am directed by the Senate to inform the House that the Senate has passed Senate File No. 1, a bill for an act in relation to the pay of the members of the General Assembly.

In which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

Mr. Baker introduced the following preamble and resolution:

WHEREAS, By an act passed at the last session of the Legislature, James C. Traer, of Benton county, John W. Jones, of Hardin county, and Hosea W. Gray, of Linn county, were appointed Commissioners to locate and superintend the erection of a building to be used as an Institution for the Blind of the State of Iowa: and

WHEREAS, By the law creating said Commissioners, they were expressly directed not to contract for the erection of said building, together with the necessary appurtenances, at a cost exceeding twenty thousand dollars, which sum was expressly intended to cover the entire cost of the completion of said building and out-

houses and appurtenances; *Provided*, That said Commissioners should take and subscribe an oath before some officer competent to administer the same, faithfully to discharge the duties prescribed in said act: and

WHEREAS, \$15,000 was appropriated by said act, for the erection of said buildings and appurtenances: and

WHEREAS, The said Commissioners have commenced a building upon a plan totally unauthorized in said act, which, if completed by the State, would cost a very much larger sum than \$20,000: and

WHEREAS, It appears that said Commissioners have drawn from the Treasury of the State, as appears by the Auditor's report, either the sum of \$15,647 or the sum of \$16,647, under said act: and

WHEREAS, Said building, commenced on a plan not authorized by said act, is only partially erected, and is now exposed to great injury, by reason of the non-compliance of said Commissioners with the provisions of said act: therefore,

Resolved, The said Commissioners be directed to report:

1st. Before what magistrate they took and subscribed the oath required by law.

2d. By what supposed authority they proceeded to the partial erection of a building, the estimated cost of which exceeded the limit imposed by the law under which said commissioners were appointed, and

3d. To present to this House the plans, estimates and contracts upon which they have been proceeding in the partial erection of said building.

4th. To report to this House the items of the amounts received as fees by said commissioners, stated in the Auditor's report at \$16,647.

5th. *Resolved*, That the Clerk of the House be directed to forward a copy of these resolutions by mail to each of said commissioners; *Provided*, The same cannot be personally served upon each one of them.

Mr. Goodrell moved that the resolution be referred to the Committee on Charitable Institutions.

Mr. Bennett moved to lay Mr. Goodrell's motion on the table. Lost.

On the motion of Mr. Goodrell, Mr. Baker called for the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremer, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn,

Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—51.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—29.

Absent, or not voting—Mr. Hall.

So the motion prevailed.

Mr. Gue, of Scott, offered the following resolution :

Resolved, That a committee of three be appointed to prepare and report rules for the government of this House.

Resolution adopted.

Messrs. Gue, Wright, and Curtis, were appointed said committee.

Mr. Rosenkrans offered the following Resolution :

Resolved, That in making appropriations to pay Clerks and other officers of this House, the following sums shall be appropriated :

Chief Clerk, \$5 00 per day.

1st Assistant Clerk, \$4 00 per day.

2d Assistant Clerk, \$3 00 per day.

Enrolling Clerk, \$3 00 per day.

Engrossing Clerk, \$3 00 per day.

Sergeant-at-Arms, \$3 00 per day.

Post Master, \$3 00 per day, (the Senate concurring.)

Fireman, \$3 00 per day.

Door-Keeper, \$3 00 per day.

Messengers and Paper-Folders, \$2 00 per day.

Mr. Kellogg moved to amend as follows : That the Clerks shall receive \$3 00 per day each, and all other officers of the House shall receive \$2 00 per day each, (including the Post Master.)

Mr. Claggett offered the following as an amendment to the amendment :

That the Chief Clerk receive four dollars per day ; all other officers \$3 00 per day except Assistant Fireman and Folders ; that of Assistant Fireman, \$2 50, and that of Paper-Folder, \$1 50 per day.

Mr. Baker moved to refer the resolution and amendment to the Committee on Finance. Motion lost.

Mr. Bennett then offered a substitute for the whole, to wit :

Resolved, That in making appropriations for the officers of this House, that the following sums be allowed the following officers : Chief Clerk, \$3 00 per day ; 1st Assistant Clerk, \$3 00 ; Sergeant-

at-Arms, \$2,00; Door-Keeper, \$2 00; Messengers, \$2 00; Fireman \$2 00; Paper-Folders, \$1 50 per day. Lost.

The question recurring upon the amendment by Mr. Claggett, upon which the ayes and nays were demanded by Mr. Beal, were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Blackford, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jones, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Stevens, Taylor, Williams, Williamson of Warren—34.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bennett, Bremer, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Kellogg, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—48.

Absent, or not voting—Mr. Hall.

Amendment lost.

The question then recurred upon Mr. Kellogg's amendment, which was lost.

And the question then recurred on the resolution by Mr. Rosenkrans, on which the yeas and nays were demanded by Mr. Baker, and were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremer, Caldwell, Clark of Johnson, Conner, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—50.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—35.

Absent or not voting—Mr. Hall.

Resolution adopted.

BILLS INTRODUCED.

By Mr. Curtis: house file number 1, a bill for an act to

amend chapter number 150, of the acts of the Seventh General Assembly, which was read the first time, when, on motion of Mr. Curtis, the 42d Rule was suspended, the bill read a second time by its title, and referred to a committee composed of the members of the 6th Judicial District.

By Mr. Robb: house file number 2, a bill for an act fixing the time of holding courts in the fourth Judicial District, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to a committee composed of the members of the fourth Judicial District.

By Mr. Beal: house file number 3, a bill for an act to amend section two of chapter one hundred and forty-five, of the acts passed at the regular session of the seventh General Assembly, approved March, A. D. 1858, which was read a first time.

By Mr. Lambert: house file number 4, a bill for an act to make bank notes a legal tender for the payment of State revenue, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to the committee on ways and means.

Senate file number 1, a bill for an act in relation to the pay of the members of the General Assembly, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, when Mr. Claggett moved to amend by adding an additional section, as follows:

Section number 2: *And be it further enacted*, That the President of the Senate and Speaker of the House of Representatives, are authorized to draw from the Treasurer the per diem of each of the officers of their respective Houses, and pay the same to said officers, as the same becomes due, and demanded.

Mr. Curtis moved to amend the amendment by adding Section number 3: That the Treasurer of State be authorized to pay the members of the General Assembly, upon their application, a sum, not exceeding one hundred dollars each; taking their receipt therefor, which receipt shall be surrendered upon presentation of the Auditor's Warrant for the whole amount of their compensation at the close of the session; when the bill was referred to the committee on ways and means.

Mr. Caldwell offered the following resolution:

Resolved, That 7,500 copies of the Governor's Message, and 7,500 copies of the Governor's Inaugural, be ordered printed in the English language; and 1,500 copies of each in the German; 1,000 of each in the Holland, and 1,000 of each in the Norwegian language, for the use of this House.

Pending which, Mr. Curtis moved to adjourn; which was lost.

Mr. Beal then moved that the resolution of Mr. Caldwell be taken up in sections.

On the motion that 7,500 copies of the Governor's Message be printed in the English language—carried.

On the motion that 7,500 copies of the Inaugural Address be published in the English language, the yeas and nays were demanded by Mr. Beal, were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—50.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Hedges, Hotchkiss, Jennings, McCullough of Jackson, Paulk, Price of Lee, Reed, Rees, Robinson, Robb, Whitaker, Williamson of Warren—22.

Absent or not voting—Messrs. Gniffke, Hall, Jones, Kellogg, LeLacheur, Mangold, McCullough of Lee, Peet, Riddle, Williams.

Motion carried.

On motion that 1500 copies of Governor's Message be printed in the German language. Carried.

On motion that 1500 copies of Governor's Inaugural Address be printed in the German language, on which Mr. Jones demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—51.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, Paulk, Price of Lee, Reed, Rees, Robinson, Robb, Taylor, Whitaker, Williamson of Warren—29.

Absent, or not voting—Messrs. Hall, Mangold, McCullough of Lee, Peet, Riddle, Stevens and Williams.

Motion prevailed.

On motion that 1000 copies of the Governor's Message be published in the Holland Language. Carried.

On motion that 1000 copies of the Governor's Inaugural Address be published in the Holland Language, on which Mr. Beal,

demande the yeas and nays, which were ordered and were as follows :

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker.—48.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, Paulk, Price of Lee, Reed, Rees, Robinson, Stevens, Taylor, Whitaker, Williamson of Warren—87.

Absent, or not voting—Messrs. Hall, Mangold, McCullough of Lee, Peet, Riddle, Rosenkans, Taylor, Williams.

Motion prevailed.

On the motion that 1000 copies of the Governor's Message be printed in the Norwegian Language. Carried.

On the motion that 1000 copies of the Governor's Inaugural Address be printed in the Norwegian language, Mr. Beal demanded the yeas and nays, which were ordered and were as follows :

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—50.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, McCullough of Jackson, Paulk, Price of Lee, Reed, Robinson, Robb, Stevens, Whitaker, Williamson of Warren—27.

Absent, or not voting—Messrs. Bremner, Hall, LeLacheur, Mangold, McCullough of Lee, Peet, Riddle, Taylor and Williams.

Motion prevailed.

Mr. Beal moved that 500 copies of the Governor's Message be printed in the Swedish language. Lost.

Mr. Bennett offered the following resolution :

Resolved, That Peter Barrendrecht of Pella, be employed to translate and superintend the printing of the Message and Inaugural Address which are to be printed in the Holland language.

Mr. Caldwell moved to lay the resolution on the table, on which Mr. Beal demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosencrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—51.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Taylor, Whitaker, Williams—31.

Absent, or not voting—Messrs. Hall, Paulk and Williamson of Warren.

Motion prevailed.

Mr. Caldwell offered the following resolution:

Resolved, That the Chief Clerk be authorized to make an arrangement with the Post-Masters of Des Moines, for the payment of the postage of members of this House.

Mr. Wright moved to amend as follows: *Provided*, That postage shall only be paid upon letters, newspapers and documents published by the State officers, or by order of the House or Senate, or by order of the General Assembly. The amendment was accepted, and the resolution adopted.

Communications on Speaker's desk:

The Speaker presented the Report of the Secretary of the Board of Education.

On motion, it was laid on the table, and the usual number of copies ordered printed for the use of the House.

The Speaker also presented the Report of the State Librarian.

On motion, it was laid upon the table, and 200 copies ordered to be printed for the use of the House.

Mr. Withrow moved that the resolution for the election of 2d Assistant Clerk, be taken up.

Mr. Beal moved to indefinitely postpone the resolution. Lost.

Mr. Claggett offered the following amendment: *Provided*, That the per diem compensation to the officers, and all others, shall include the time, viz: 24 hours, as one day. Carried.

The question then recurred upon the motion as amended; upon which the yeas and nays were demanded by Mr. Beal, and were ordered, and were as follows:

The yeas were—Messrs Bereman, Bowdoin, Barnes, Blackford,

Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—52.

The nays were—Messrs Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavy, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Taylor, Whitaker, Williams—31.

Absent, or not voting—Messrs. Hall, Paulk, and Williamson of Warren.

Motion prevailed.

Dr. Witter nominated J. A. Hammer.

Mr. Ellis nominated Mr. Hogan.

Mr. Dunlavy nominated Mr. Newcomb, as candidates for the office of 2d Assistant Clerk of this House.

J. A. Hammer received 48 votes.

Mr. Hogan received 32 votes.

Mr. Newcomb received 5 votes.

J. A. Hammer having received a majority of all the votes cast, was declared duly elected 2d Assistant Clerk of the House.

Dr. Witter moved to take up the resolution of the Senate relative to Post-Masters.

Mr. Rosenkrans moved to amend the resolution, by substituting the name of T. R. Oldham, instead of E. H. Brown.

Mr. Claggett moved to lay the resolution on the table; on which the yeas and nays were demanded by Mr. Claggett, and were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Caldwell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavy, Ellis, Gniffke, Hedges, Hotchkiss, Jones, Kellogg, Le Lacheur, Mangold, McCullough of Jackson, McCullough of Lee, Peet, Price of Lee, Rees, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren—30.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Withrow, Witter, Wright, Mr. Speaker—53.

Absent, or not voting—Messrs. Hall, Harris and Paulk.

Lost.

The motion was then carried, to concur in the Senate resolution, as amended.

The motion to elect another paper-folder was then taken up, and carried.

Mr. McQuinn nominated A. R. James, of Benton county.

Mr. Beal nominated W. Thrift.

A. R. James received 50 votes.

W. Thrift received 35 votes.

A. R. James having received a majority of all the votes cast, was declared duly elected paper-folder.

On motion of Mr. Streeter, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
Friday, January 13, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Teeter.

Minutes of yesterday read, corrected and approved.

On motion of Dr. Witter, J. A. Hammer and A. R. James were called and sworn as officers of this House.

PETITIONS AND MEMORIALS PRESENTED.

By Mr. Robb: the petition of certain citizens of Woodbury Co., praying for the abolition of the office of Co. Judge, and the establishment of township organizations, &c. Referred to committee on township organization.

Mr. Price, of Muscatine, presented the petition of certain citizens of Muscatine county, praying the repeal of so much of section 15, chapter 13, on swamp lands, as requires all persons to whom county jobs shall be let, to enter into bonds, &c., &c. Referred to committee on agriculture.

Mr. Clark, of Johnson, presented the petition of LeGrand Byington, and ten others, praying the Legislature to enact a law compelling railroads companies to fence both sides of their roads, &c. Referred to committee on railroads, with instructions to report by bill.

Mr. Streeter presented the petition of residents of Black Hawk county, praying for the abolition of the office of County Judge, and the establishment of a township organization, &c. Referred to committee on township organization.

Mr. Beal presented the petition of citizens of Boone county, asking for a change in the present school law. Referred to committee on schools.

Mr. Caldwell presented the petition of citizens of Van Buren county, praying for the repeal of chapter 45 of the acts passed by the General Assembly, at the session of 1855, &c., &c.

Mr. Harris presented the petition of citizens of Harrison and Monona counties, asking to have the Little Sioux River declared navigable. Referred to the committee on internal improvements.

Mr. Lynch offered the following resolution, which was read, and made the special order for Monday, January 23d :

Resolved, That the committee on township and county organization, is hereby instructed to prepare a bill for an act to abolish the office of County Judge, and to organize a Board of County Commissioners.

Mr. Bennett offered the following resolution, which was read, and laid over, under the rule :

Resolved, That the State Auditor be requested to report to this House, the items of amount paid for Geological Survey, as stated on the 15th page of the Auditor's report, at \$33,032 59 ; and also to whom paid, and for what service.

Mr. Kellogg offered the following resolution, which was read, and laid over, under the rule :

Resolved, That the State Auditor be requested to report to this House, the items of the amount of \$19,800 79, for Frontier Army, as stated on page 8 of the said Auditor's report.

Mr. Dunlavy offered the following resolution, which was read, and laid over, under the rule :

Resolved, That the State Auditor be requested to report to this House, the items composing the amount (10,117 91) paid as miscellaneous disbursements, page 9, of Auditor's report, giving names of those to whom paid, amount, and for what services.

Mr. Baker offered the following resolution, which was read, and laid over, under the rule :

Resolved, That the State Auditor be directed to report the items embraced in the sum of \$258,555 67, reported as paid out for Insane Asylum, to whom paid, and for what service or labor the same were paid.

Mr. Bennett offered the following resolution, which was read, and laid over, under the rule :

Resolved, That the Auditor of the State be requested to report to this House, a copy of the bills of Messrs. Traer, Jones & Gray, commissioners for the institution for the blind, at Vinton.

Mr. Kellogg offered the following resolution, which was read, and laid over, under the rule :

Resolved, That the State Auditor be requested to report immediately, a list of the delinquent counties, and amounts due from each county, being the amount of \$293,122 10, as balance due from

counties, as stated by Auditor's report, on page 10 of said report.

Mr. Beal offered the following resolution, which was read, and laid over, under the rule :

Resolved, That His Excellency, the Governor, be requested to inform this House, whether the company raised by the 7th General Assembly for the protection of the frontier, has again been ordered into service for the third time; and if so, upon what reliable information such action was taken.

Mr. Baker offered the following resolution :

Resolved, That the Committee on State University be directed to report to this House, the amount expended under the law of last session, providing for the completion of a suitable boarding hall, &c., for the State University; to report if the terms of said law have been complied with, and how near said building approaches completion.

And on motion of Mr. Baker, the resolution was adopted.

Mr. Bennett offered the following resolution, which was read and laid over, under the rule :

Resolved, That the Auditor of State be required to report to this House, the number of days occupied by the Commissioners appointed to examine the State offices. Also, a copy of the report of said Commissioners, and their action in the premises; and for what \$603 00, as stated on page 8 of said report, was paid.

Mr. Goodrell offered the following resolution :

Resolved, That the Sergeant-at-Arms make an arrangement with Daniel Hutton, and allow him the privilege of keeping, in the upper hall of this House, a refreshment stand, during this session of the General Assembly.

Mr. Baker moved to lay the resolution on the table. Carried.

Message from the Senate, by their Secretary, Mr. Sanders:

MR. SPEAKER:—I am directed by the Senate to inform the House, that the Senate has passed the following concurrent resolution :

Resolved, By the Senate, (the House concurring,) that the Senate will meet the House of Representatives, in Joint Convention, in the hall of the House of Representatives, on Saturday the 14th inst., at 10 o'clock, A. M., to proceed to the election of a Senator to represent the State of Iowa in the Congress of the United States, for six years from the 4th day of March, A. D. 1861, in the place of the Hon. James Harlan.

• In all of which, the concurrence of the House is asked.

J. H. SANDERS, Sec'y of the Senate.

Mr. Baker offered the following resolution :

Resolved, That the committee on the judiciary be directed to inquire into the expediency of repealing all laws in relation to usury, which was adopted.

Mr. Taylor offered the following resolution :

Resolved, That the members of this House be allowed 20 daily

papers each, such as they may designate, printed in this State, or their equivalent in weeklys.

Mr. Macomber offered the following resolution :

Resolved, That the Chief Clerk of the House be authorized and instructed to furnish each member of the House with 10 copies of daily newspapers, or their equivalent in semi-weekly, tri-weekly, or weekly newspapers, of the following kinds, to wit: eight copies to each member, of the Daily Iowa State Register or Daily Iowa State Journal, at the option of each member, and two copies of any other newspaper each member may select.

Mr. Claggett offered the following resolution :

Resolved, That the Chief Clerk of this House be desired to procure, for each member of this House, such newspapers published in this State, for circulation among people, as they may desire ; *Provided*, The expense thereof shall not exceed twenty dollars to each member.

Mr. Noble offered the following resolution :

Resolved, That the Chief Clerk be authorized to subscribe for such papers as the members of this House may agree upon, providing that the amount subscribed for each member shall not exceed \$30.

Mr. Wright moved to refer the whole matter to a committee of five, which was carried.

Messrs. Wright, Witter, Baker, Taylor and Clagget were appointed as such committee.

Mr. Wright, from the special committee to whom was referred the subject of supplying the members with newspapers, reported the following resolution, and moved its adoption :

Resolved, That the Chief Clerk be authorized to order, for the members of this House, 20 copies of daily papers, or their equivalent in weeklies, all of which shall be printed in this State.

The resolution was adopted.

Message from Senate by their Secretary, Mr. Sanders.

MR. SPEAKER : I am directed by the Senate to inform the House that the Senate has ordered to be printed of the Governor's Message, 5,000 copies in English, 2,000 copies in German, and 1,000 in the Norwegian languages. Also, of the Inaugural Address, 5,000 copies in English, 2,000 copies in German, 1,000 copies in Holland, and 1,000 copies in the Norwegian languages.

(Signed,) J. H. SANDERS, Secretary of Senate.

On motion of Mr. Bowdoin, the resolution of the Senate in relation to the Joint Convention for the election of a United States Senator, was taken up and concurred in.

INTRODUCTION OF BILLS.

By Mr. Millard, house file number 5, a bill for an act to authorize the payment of taxes and interest on school fund in bills of the

State Bank of Iowa, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to the Committee on Ways and Means.

By Mr. Mitchell, house file number 6, a bill for an act to authorize Paul C. Jeffreys to transcribe and index certain records of Wapello county, which became a law Jan. 21, A. D. 1857, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to the Committee on Judiciary.

By Mr. Le Lacheur, house file number 7, a bill for an act to amend section 3 of chapter 93 of the laws of 1853, and regulate certain fees in Justice Court, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to the Committee on Judiciary.

By Mr. Jones, house file number 8, a bill to provide for the appraisement of real and personal property taken in execution, which was read a first time, when the 42d Rule was suspended, and the bill read a second time by its title, and, on motion of Mr. Clark, referred to a select committee of five; Messrs. Clark, of Johnson, Jones, Gurley, Ruddick and Hedges, that committee.

By Mr. Rosenkrans, house file number 9, a bill for an act for the uniform mode of sub-dividing, and fixing the method thereof, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to the Committee on Public Lands.

By Mr. Baker, house file number 10, "a bill for an act providing for Auditors," which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to Committee on Judiciary.

By Mr. Rosenkrans, house file number 11, a bill for an act fixing the time of holding courts in the 11th Judicial District, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to Committee on Judiciary.

By Mr. Mitchell, house file number 12, "a bill for an act entitled an act to repeal part of section 4, chapter 148 of the laws of the 7th General Assembly," which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to the Committee on Judiciary.

By Mr. Merrill: house file number 13, a bill for an act to amend chapter 157 of the laws of the Seventh General Assembly, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to Committee on Corporations.

By Mr. Robb: house file number 14, a bill for an act to amend chapter 62 of the laws of the Seventh General Assembly, providing for a bounty upon the scalps of certain wild animals, which was read a first time, when the 42d Rule was suspended, and the bill read a second time by its title, and referred to a select committee,

consisting of Messrs. Robb, Rees, Millard, Wright and Robinson.

By Mr. Le Lacheur: house file number 15, a bill for an act to regulate the time of keeping open county offices, which was read a first time, when the 42d Rule was suspended, the bill read a second time by its title, and referred to the Committee on Judiciary.

By Mr. Baker: house file number 16, a bill for an act fixing the times of holding courts in the seventh judicial district, which was read a first time, when the 42d Rule was suspended, and the bill read a second time by its title, and referred to the delegation from the 7th judicial district.

By Mr. Baker: house file number 17, a bill for an act fixing the times of holding courts in the seventh judicial district, Muscatine, &c., was read a first time, when the 42d Rule was suspended, and the bill read a second time by its title, and referred to a committee of the delegation from the 7th judicial district.

Mr. Kellogg offered the following resolution:

Resolved, That the Clerks of this house and Sergeant-at-Arms be allowed the same number of papers as are allowed the members.

Resolution laid on the table.

On motion, the House adjourned till 2 o'clock.

2 O'CLOCK, P. M.

Mr. Speaker announced the following communication:

DES MOINES, IOWA, JANUARY 12TH, 1860.

Mr. Speaker and Gentlemen of the House:

I will carry the mail of this House and that of the Senate, from the Capitol Building to the Post Office, once each day, and from the Post Office to the Capitol, once each day during the present session of the Legislature, for the sum of one hundred dollars; the mail to be carried to and from the Post Office of the Senate and House of Representatives.

Yours, respectfully,

J. S. WHICHER.

Mr. Bereman moved to take up the resolution of Mr. Bennett for printing the Governor's Message and Inaugural in the Holland language; also moved to strike out the name of Peter Barendredth, and insert the name of H. P. Scholte.

Mr. Bennett moved to substitute Buscat, for Scholte. Lost.

Upon Mr. Bereman's motion, Mr. Bennett demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of

Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—50.

The nays were—Messrs. Baker, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—33.

Absent, or not voting—Messrs. Hall and Riddle. Excused—Mr. Beal.

Resolution adopted.

REPORTS OF COMMITTEES.

The select committee to whom was referred house file number 2, a bill fixing the time of holding courts in the Fourth Judicial District, have had the same under consideration, and have requested me to report the same back with the following amendments, and recommend its passage :

At the conclusion of section 2, add, and at least one term of court in each year, shall be holden in each county of said district, wherein a cause may be pending.

Section 4th be amended so as to read as follows : That all acts or parts of acts inconsistent herewith, are hereby repealed, and this act shall take effect from and after its publication in the Sioux City Register, Ft. Dodge Sentinel and Magnolia Republican, which shall be done without expense to the State.

P. ROBB,	} Committee.
SAMUEL REES,	
J. W. DENNISON,	
J. E. BLACKFORD,	

The committee on ways and means, to whom was referred senate file number 1, a bill for an act prescribing the duty of the Treasurer of State, having had the same under consideration, instruct me to report the same back with the accompanying substitute, and recommend the adoption and passage of the substitute.

W. H. F. GURLEY, Chairman.

Mr. Goodrell offered the following resolution :

Resolved, That the special committee on printing, of which Mr. Baker is Chairman, be hereby instructed to extend their investigations and inquiries back as far as the year 1846.

Adopted.

On motion of Mr. Curtis, Mr. Goodrell was added to the committee on printing.

Mr. Claggett offered the following resolution :

Resolved, That the special committee on printing be required to take into their consideration, the propriety of letting the printing to the lowest responsible bidder, after giving due notice thereof and make report thereon to this house.

Lost.

Senate bill number 1, the substitute for an act making appropriations for the payment of the per diem of members and officers of the General Assembly, was read the third time and upon the question of its passage the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cowing, Crawford, Curtis, Daggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavy, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCollough of Jackson, McCollough of Lee, McQuinn, Millard, Mitchell, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—72.

The nays were—Messrs. Bereman, Bennett, Clark of Des Moines Gue, Merrill, Morehead, Moser, Rees, Robinson, Stevens—10.

Absent, or not voting—Messrs. Campbell, Cottle, Hall and Riddle.

The bill was passed and title agreed to.

On motion, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
Saturday, January 14, 1860, 10 o'clock, A. M. }

House met pursuant to adjournment.

On motion of Mr. Wright, the reading of the Journal was dispensed with for the time.

On motion of Mr. Goodrell, Mr. Robb was appointed teller on the part of the House, in canvassing the vote for United States Senator, in Joint Convention.

Mr. Bowdoin moved that a committee of two be appointed to wait upon the Senate and inform that body that the House is now

ready to meet them in a Joint Convention, for the election of a United States Senator. Carried.

Mr. Speaker appointed Messrs. Bowdoin and Taylor said committee.

On motion of Mr. Wright, the House took a recess of two minutes.

The House was called to order, the Sergeant-at-Arms announced a message from the Senate by Mr. Sanders, their Secretary.

MR. SPEAKER:—I am directed by the Senate, to inform the House that the Senate has adopted the following resolution, in which the concurrence of the House is asked:.

Resolved, By the Senate, (the House of Representatives concurring,) That the Joint Rules of the last session be adopted for the government of the present General Assembly.

J. H. SANDERS, Secretary.

The committee appointed to wait upon the Senate reported having performed that duty, when

The Senate preceded by their President, Sergeant-at-Arms and Secretary, entered the hall of the House, after being duly announced, and took the seats assigned them.

The President of the Senate acting as President of the Joint Convention, and the Chief Clerk of the House acting as Secretary.

The President announced the object of the Joint Convention to be the election of a Senator to represent the State of Iowa in the Senate of the United States, for the term of six years, from and after the 4th day of March, 1861.

The Secretary was directed to call the roll, whereupon the following named gentlemen were found to be absent, to-wit: Messrs. Coolbaugh, Gray, Hall and Patterson of Muscatine.

On motion, the absentees were excused.

Mr. Robb acted as teller on the part of the House.

Mr. Anderson acted as teller on the part of the Senate.

The President announced that the Joint Convention would now proceed to the election of a United States Senator, and that the nomination of candidates was now in order.

Mr. Powers nominated James Harlan.

Mr. Claggett nominated Augustus Caesar Dodge.

The Joint Convention proceeded to vote, when it appeared that James Harlan had received 73 votes.
Augustus Caesar Dodge..... 52 votes.

James Harlan having received a majority of all the votes cast was declared duly elected United States Senator to represent the State of Iowa in the United States Senate, for the term of six years, from and after the 4th day of March, A. D. 1861.

Those gentlemen voting for James Harlan, were—Messrs. Anderson, Angle, Barnes, Bemis, Bereman, Blackford, Bowen, Bowdoin, Bremer, Brown, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Clinton, Da-

vis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Edwards, Gillitt, Glasgow, Goodrell, Gue, Gurley, Hagans, Haskell, Hoag, Hastings, Henderson, Hunt, Kent, Lambert, Lewis, Lynch, Macomber, Mangold, McPherson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Rankin, Reiner, Rosenkrans, Ruddick, Sabin, Sanders, Shipman, Sherraden, Stanton, Scott, Streeter, Thompson, Tompkins, Watson, Williamson of Louisa, Wilson of Jefferson, Withrow, Witter, Wright—73.

Those gentlemen voting for Augusts C. Dodge, were—Messrs. Ainsworth, Baker, Bailey, Beal, Bennett, Bracewell, Bussey, Buechel, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Duncombe, Dunlavy, English, Ellis, Gniffke, Green, Harris, Hammer, Hedges, Hotchkiss, Jennings, Johnson, Jones, Kellogg, LeLachur, Mann, McCullough of Jackson, McCullough of Lee, Neal, Paulk, Pusey, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stephens, Taylor of Jones, Taylor of Wayne, Trumbull, Udell, Whitaker, Williams of Mahaska, Williams of Dubuque, Williamson of Warren, Wilson of Dubuque—52.

Excused—Gray. Absent or not voting—Coolbaugh, Hall, Patterson of Muscatine.

The following certificate was then signed by the President of the Senate, and the Speaker of the House of Representatives, and attested by the tellers in the presence of the Joint Convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, January 14th, 1860. }

This will certify, That at an election, by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Saturday the 14th day of January, A. D. 1860, for the purpose of electing a United States Senator, James Harlan, having received a majority of all the votes cast at said election, was declared duly elected a Senator to represent the State of Iowa in the Senate of the United States, for the term of six years, from and after the 4th day of March, A. D. 1861.

Signed in presence of the Joint Convention, the day and year first above written.

Signed:

NICHOLAS JOHN RUSCH,
President of the Joint Convention.

JOHN EDWARDS,

Speaker of the House of Representatives.

Attest: DAN. ANDERSON, Teller for Senate.

PATRICK ROBB, Teller for House.

The President announced that the object for which the Joint Convention had met was now accomplished; whereupon, on motion of Mr. Rankin, the Convention adjourned, *sine die*.

The Senate retired to their chamber, the House was called to order, when, on motion of Mr. Wright, the last message of the Senate was taken up, and Mr. Curtis moved to amend by striking out the 8th Rule. Carried.

The question then recurred upon concurring in the resolution as amended, which was adopted.

PETITIONS AND REMONSTRANCES.

Mr. Claggett presented a petition from citizens of Lee county, asking for a repeal of the prohibitory liquor law, &c.

On motion of Mr. Claggett, it was referred to a select committee of three, Messrs. Claggett, Witter and Withrow being that committee.

Mr. Williams presented the petition of citizens of Dubuque, praying for an act giving mortgagors reasonable time to redeem real estate, &c. Referred to committee on judiciary.

Mr. Beal presented the petition of citizens of Boone county, praying for a change in the school law. Referred to committee on schools.

Mr. Bracewell presented a memorial of common school teachers in Wayne county, asking for further legislation in relation to Teachers' Institutes. Referred to committee on schools.

Mr. Ruddick presented a petition of G. W. L. Nally, to vacate a part of the town plat of Waverly. Referred to committee on incorporations.

Mr. Beal presented the petition of citizens of Boone county, relating to swamp lands. Referred to committee on public lands.

RESOLUTIONS.

Mr. Shipman introduced the following resolution :

Resolved, That the Secretary of State be directed to furnish each member of this House with a copy of the acts and resolutions passed by the last General Assembly.

Adopted.

Mr. Bennett introduced the following resolution, which was read and laid over, under the rule :

Resolved, That the Auditor of State be required to report to this House the items of amount of \$1,587 40, as stated on page 9 of his report, under the head of General Contingent Fund, and for what purpose said sum was expended.

Mr. Peet introduced the following resolution :

Resolved, That the committee on county and township organization be instructed to prepare and report a bill for a full and complete township organization, with a board of supervisors.

Which was laid on the table.

Mr. Jones introduced the following resolution :

WHEREAS, There are thousands of acres of the best land in Iowa held for speculation by individuals who have never broken a single foot of the land for agriculture or improvement, and who look to the labor of others for the gains which are to follow the enhanced value of their estate : and

WHEREAS, These lands pay a comparatively small tax, are a back-set upon the opening up and developing the rich resources of our otherwise prosperous State, and a burden upon government ; therefore,

Resolved, That the committee on judiciary, for the purpose of making the burden as light as possible, where it should be light, enquire into the expediency of reporting a bill, making real estate the chief basis of revenue, and a special exception, to a limited extent, from all taxation made in favor of the different kinds and varieties of stock and cattle of the most improved description and breed.

Referred to committee on judiciary.

Mr. Morehead offered the following resolution :

Resolved, That members of this House, in their discussions, shall be confined to fifteen minutes.

Laid on the table.

Mr. Bowdoin offered the following resolution :

Resolved, (the Senate concurring,) That the Secretary of State be authorized to furnish to the several District Judges of the State, one copy each of all the Supreme Court Reports of the State, which now are, or hereafter may be in his possession.

Referred to committee on judiciary.

Mr. Rosenkrans offered the following resolution :

Resolved, That the use of the hall of the House be granted to those gentlemen who wish to form a legislative agricultural debating club, this evening.

Carried.

Mr. Shipman offered the following resolution :

Resolved, That the Sergeant-at-Arms be responsible to this House for any damage done to the furniture of this hall, while the House is not in session, unless the damage be done by parties using the hall by the consent of the Speaker of this House.

Laid on the table.

On motion of Mr. Wright, the House adjourned till Monday morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Monday, January 16th, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Peet.

Journal of Saturday read and approved.

PRESENTATION OF PETITIONS.

Mr. Lambert presented a petition from citizens of Dallas county, praying for the repeal of chapter 193 of session laws of the Sixth General Assembly of the State of Iowa. Referred to committee on agriculture.

Mr. Dennison presented a petition from citizens of Greene Co., asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad. Referred to the committee on railroads.

Mr. Beal presented a petition from citizens of Boone Co., asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Co., &c. Referred to the committee on railroads.

Mr. McQuinn presented a petition from citizens of Tama and Benton counties, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Co., &c. Referred to committee on railroads.

Mr. Claggett, presented the petition of citizens of Lee county, asking for a repeal of the liquor law. Referred to a select committee of three, consisting of Messrs. Claggett, Witter and Withrow.

Mr. Tompkins presented a petition from citizens of Tama Co., asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, &c. Referred to committee on railroads.

Mr. Dennison presented a petition from the Council Bluffs, Boyer Valley and Minnesota Railroad Company, asking grant of public lands, which was referred to committee on railroads.

The Sergeant-at-Arms announced a message from the Senate.

MR. SPEAKER:—I am directed by the Senate to return to the House the concurrent resolution appointing E. H. Brown Post Master to the General Assembly. The Senate having refused to concur in the amendment made thereto.

J. H. SANDERS, Sec'y of Senate.

Mr. Blackford presented a petition from citizens of Cherokee county, asking that O'Brien county may be annexed to said county, which was referred to the committee on new counties.

Mr. Bremner presented the petition of citizens of Marshall county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Rail Road Company, which was referred to the committee on railroads.

Mr. Blackford presented the petition of citizens of O'Brien Co., praying to be united with the county of Cherokee, which was referred to the committee on new counties.

Mr. Robb presented a petition of citizens of Plymouth, Sioux and Buncombe counties, asking to be attached to Plymouth county, which was referred to committee on new counties.

Mr. Haskell presented the petition of citizens of Monroe county, asking for a valuation and appraisment law, &c., which was referred to the committee on judiciary.

Mr. Baker offered the following resolution :

Resolved, That the committee on judiciary be directed to inquire into the expediency of providing for the purchase of ——— copies of Dillon's Digest, for the use of counties, public officers and the State library ; on similar terms as now provided for in Supreme Court Reports.

Adopted.

Mr. Baker offered the following resolution :

Resolved, That the committee on charitable institutions be directed to inquire into the expediency of reporting a bill declaring that any commissioner or trustee of any public institution, who shall, in any way, wilfully misappropriate any public funds or appropriations, or wilfully violate the prescribed duties of said commission, trust, or office, shall be guilty of misdemeanor, or felony, and providing penalties therefor ; also, to inquire into the expediency of providing that all such trustees, commissioners, or officers, shall take an oath of office, faithfully, and in accordance with law, to discharge the duties of such officers, and file bond with the Governor, conditioned for faithful discharge of such duties, and for a full and true account of all monies expended, before any officer enters upon his duties, and also to provide that all such officers shall make, report, and cause the same to be printed and ready for distribution among the members of both branches, during the first week of the session of each Legislature.

Which, on motion was adopted.

Mr. Baker offered the following resolution :

Resolved, That the committee on charitable institutions, be directed to report to this House how much extra interest has been paid by the trustees or commissioners for Insane Asylum, out of appropriations made for that institution, to whom paid, and under what circumstances. Also, to report if any examination of the reports and accounts of said trustees or commissioners has ever been had by any committee of this Legislature, or by order of the Governor ; and that said committee be authorized to inquire when the report of the said commissioners named in the Governor's message, will be ready for the use of this Assembly.

Which resolution was adopted.

The Sergeant-at-Arms announced a message from the Senate.

MR. SPEAKER :—I herewith present for your signature, house substitute for senate file number 1, a bill for an act making an appropriation for the payment of the per diem of members and officers of the 8th General Assembly ; the same having passed both branches of the General Assembly, and been duly enrolled in the senate.

J. H. SANDERS, Sec'y of Senate.

Mr. Baker offered the following resolution :

Resolved, That the committee on charitable institutions be directed, in case the commissioners of the institution for the blind, are continued in office, to report a bill limiting their term of office ; limiting their annual salary, and requiring future reports.

Which was referred to committee on charitable institutions.

Mr. Macomber offered the following resolution :

Resolved, That the committee on agriculture, be instructed to enquire into the expediency of reporting a bill regulating the tolls of millers, in this State.

Which was referred to committee on agriculture.

Mr. Darling offered the following resolution :

Resolved, That the committee on judiciary, be instructed to enquire into the expediency of abolishing the office of County Judge, and also the office of Drainage Commissioner, and in lieu thereof, to establish a Court of Quarter Sessions, composed of Supervisors elected in the several townships, to transact the business of the county, and to report by bill or otherwise.

Which was referred to the committee on county and township organization.

Mr. Morehead offered the following resolution :

Resolved, That the committee on Judiciary be instructed to inquire into the expediency of repealing the law requiring the publication in newspapers of the sale of property on execution.

Which was adopted.

Mr. Claggett, offered the following resolution :

Resolved, That the committee on charitable institutions, be instructed to inquire into the propriety of establishing in this State, under the patronage thereof, a Reform School, for juvenile offenders ; and that said committee report at an early day, by bill, or otherwise.

Which resolution was adopted.

Mr. Claggett offered the following resolution :

Resolved, That the committee on judiciary be instructed to report a bill prohibiting grantors in chattel mortgages, in possession, from selling, or disposing of said chattels left in their possession, without the knowledge and consent of the mortgagee.

Which resolution was adopted.

Mr. Merrill offered the following resolution :

Resolved, That the railroad committee be instructed to enquire and report at an early day, whether the Iowa Central Air Line Railroad Company, has failed to comply with any of the conditions of the act of July 16th, 1856, conferring upon it certain conditional rights to the land granted by Congress to the State of Iowa, to aid in the construction of a Railroad in said State, on, or near the 42d parallel ; and if so, what legislation, if any, is expedient to protect the interests of the State.

Which resolution was adopted.

Mr. Robb offered the following resolution :

WHEREAS, Several organized counties in the State are without sufficient population to furnish juries for the trial of civil or criminal cases ; and,

WHEREAS, There are in said counties, causes, both civil and criminal, now pending, which cannot be tried, for want of a jury ; therefore,

Resolved, That the committee on the judiciary, be instructed to enquire into the expediency of enacting some law for the relief of such counties, and report by bill or otherwise.

Which resolution was adopted.

Mr. Baker offered the following resolution :

Resolved, That the committee on charitable institutions be directed to report to this House, whether the provisions of the law of 1858, chapter 23, have been complied with, particularly so far as relates to monthly estimates, and copies of vouchers.

Which resolution was adopted.

Mr. Gue offered the following resolution :

Resolved, That L. C. Noble, of Fayette county, and F. A. Stevens, of Appanoose county, be added to the committee on agriculture.

Which resolution was adopted.

Mr. Parker offered the following resolution :

Resolved, That the committee on township and county organization, be directed to enquire into the expediency of reporting a bill separating the office of Treasurer of a county from that of Recorder of deeds, and to report by bill or otherwise.

Which resolution was adopted.

Mr. McCullough, of Lee, offered the following resolution :

Resolved, That the committee on schools, be instructed to enquire into the expediency of altering the school law, so that sub-districts may levy and collect taxes, and manage their own affairs.

Which resolution was adopted.

Mr. Bennett offered the following resolution :

Resolved, That the Auditor of State be required to report to this house the different funds of the counties, from which was received \$513,189 79, as stated on page five of his report.

Which was read, and laid over under the rule.

REPORTS OF STANDING COMMITTEES.

The Committee on the Judiciary, to whom was referred house file number 12, an act to repeal part of section 4, chapter 148 of the laws of the Seventh General Assembly, have had the same under consideration, and directed me to report the same back without amendment, and recommend its passage.

H. O. CALDWELL, Chairman Judiciary Com.

The Committee on the Judiciary, to whom was referred house

file number 7, "an act to amend section 3 of chapter 93 of the laws of 1853, and regulate certain fees in Justices Courts," have had the same under consideration, and have directed me to report the same back, and recommend its indefinite postponement.

H. C. CALDWELL, Chairman Judiciary Com.

Which report, on motion, was concurred in, and the bill indefinitely postponed.

The Judiciary Committee, to whom was referred house file number 15, "an act to regulate the time of keeping open county offices," have had the same under consideration, and have directed me to report the same back, and recommend its indefinite postponement.

H. C. CALDWELL, Chairman Judiciary Com.

Which report, on motion, was concurred in, and the bill indefinitely postponed.

Message from the Senate :

MR. SPEAKER:—I am directed by the Senate to inform the House that the Senate has ordered to be printed, 1,000 copies of the Report, with supplement, of the Secretary of the Board of Education, and the Report of the Board of Trustees of the State University, for the use of the Senate. Also, 100 copies of the Rules of the Senate, with the name, P. O. address, age, political connection, &c., of each member of the Senate.

J. H. SANDERS, Secretary of Senate.

COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills beg leave to report that they have examined house file number 2, "an act fixing the times of hold Courts in the 4th Judicial District, and have found the same correctly engrossed.

A. M. COWING, Chairman.

BILLS INTRODUCED.

By Mr. Lynch : house file number 18, a bill for an act to repeal chapter 147, Session Laws of 1858, which was read a first and second time, and referred to the Committee on Agriculture.

By Mr. Davis, of Johnson : house file number 19, a bill for an act to amend an act entitled an act to protect game, which was read a first and second time, and referred to the Committee on Agriculture.

By Mr. Curtis : house file number 20, a bill for an act in relation to Judgment Liens, which was read a first and second time, and referred to the Committee on Judiciary.

By Mr. Curtis : house file number 21, a bill for an act to repeal part of chapter 79 of the Code, in relation to the conveyance of Real Estate, which was read a first and second time, and referred to the committee on judiciary.

By Mr. Lambert: house file 22, a bill regulating interest on delinquent taxes, which was read a first and second time, and was referred to the committee on ways and means.

By Mr. Stanton: house file number 23, an act regulating the surveys of land, and to perpetuate decayed corners, which was read a first and second time, and referred to the committee on public lands.

By Mr. Millard: house file number 24, a bill for an act to amend section 22 of chapter 154, of the acts of the 7th General Assembly, relating to roads and highways; which was read a first and second time, and referred to committee on roads and highways.

The special committee to whom was referred house file number 11, a bill for an act fixing the times of holding the district courts in the eleventh judicial district, report a substitute therefor, and recommend the passage of the same.

ROSENKRANS, Ch'm.

On motion, the rule was suspended, and the substitute read a first, second and third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Olaggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, Mr. Speaker—81.

The nays were—None.

Absent, or not voting—Messrs. Campbell, Hall, Hunt, Kellogg and Williams.

The bill was passed, and the title was agreed to.

BILLS.

By Mr. Jones: house file number 25, a bill for an act to amend an act of the revenue law of the 7th General Assembly of the State of Iowa, approved March 23d, 1858; which was read a first and second time, and referred to the committee on ways and means.

By Mr. Noble: house file number 26, a bill for an act to amend an act providing for the election of District Attorneys, prescribing their duties and fixing their compensation; which was read a first and second time, and referred to the committee on judiciary.

By Mr. Lambert: house file number 27, a bill for an act providing for the appraisement of real estate and personal property sold under execution; which was read a first and second time, and referred to a special committee consisting of Messrs. Clark of Johnson, Jones, Gurley, Ruddick and Hedges; and on motion of Mr. Beal, Mr. Lambert was added to said committee.

By Mr. Gurley: house file number 28, a bill for an act to legalize the acts of Geo. S. C. Dow, as Notary Public in Scott county, Iowa; which was read a first and second time, and referred to the committee on judiciary.

On motion of Mr. Withrow, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

INTRODUCTION OF BILLS.

By Mr. Caldwell: house file number 29, a bill for an act entitled an act to regulate interest on money; which was read a first and second time. On motion, it was laid on the table, and the usual number ordered printed, and the bill made the special order for next Tuesday week.

By Mr. Gue: house file number 30, a bill for an act to legalize the election of the President and town council, and other officers of Chariton, Lucas county, and the official acts of the same; which was read a first and second time, and referred to the committee on corporations.

By Mr. Ellis: house file number 31, an act relating to incest; which was read a first and second time, and referred to committee on judiciary.

By Mr. Blackford: house file number 32, a bill for an act relating to the unorganized counties of the State; which was read a first and second time, and referred to the committee on new counties.

By Mr. Blackford: house file number 33, a bill for an act relating to the organization of new counties; which was read a first and second time, and referred to the committee on township and county organization.

By Mr. Harris: house file number 34, an act exempting 40 acres of land from taxation, under certain conditions; which was read a first and second time, and referred to committee on internal improvements.

By Mr. Lambert: house file number 35, a bill for an act providing for the redemption of real and personal property sold under execution; which was read a first and second time, and referred to committee on judiciary.

By Mr. Harris: house file number 39, a bill for an act to define the amount of toll for grinding grain; which was read a first and second time, and referred to committee on agriculture.

Mr. Witter moved to take up the message from the Senate relative to Post-Master, and insisted on the amendment made by the House, and asked to have a committee of conference; which was concurred in.

The Speaker appointed Messrs. Witter, Baker and Cowing, as the committee of conference.

On motion of Mr. Baker, the Journal was corrected, relative to the result of Mr. Noble's resolution, in regard to the services of Clergymen officiating in this House, so as to read that the resolution was adopted.

On motion, the resolution of Mr. Bennett, relative to \$1,587 40, on page 9 of Auditor's report, was taken up and adopted. Also, the resolution of Mr. Bennett, relative to Geological Survey, was taken up and adopted.

The following resolution, offered by Mr. Kellogg, was, on motion, taken from the table:

Resolved, That the State Auditor be requested to report to this House, the items of the amount of \$19,800 79, for Frontier Army, as stated on page 8 of the said Auditor's report; which was adopted.

The resolution of Mr. Baker, relative to the expenditure of \$258,555 67, upon the Insane Asylum, as given in the Auditor's report, was taken up, and on the adoption of which, Mr. Beal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Jefferson, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Denison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—77.

The nays were—Messrs Bereman, Clark of Johnson, Noble—3.

Absent, or not voting—Messrs. Clark of Des Moines, Hall, Merrill, Quinn, Shipman, and Williamson of Warren.

Resolution adopted.

The following resolution of Mr. Dunlavey, was taken from the table:

Resolved, That the State Auditor be requested to report to this House, the items composing the amount (\$10,117 91) paid as mis-

cellaneous disbursements, on page 9 of Auditor's report, giving names of those to whom paid, amount, and for what service.

Which was adopted.

The resolution of Mr. Bennett, relative to the number of days occupied by Commissioners examining the State offices; also, a copy of said Commissioners' report, and for what \$603, as stated on page 8 of said report, was paid; on the adoption of which Messrs. Beal and Bennett demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Jefferson, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Millard, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren, Mr. Speaker—38.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Stanton, Streeter, Tompkins, Williams, Withrow, Witter, Wright—45.

Absent, or not voting—Messrs. Clark of Des Moines, Hall, Merrill and Shipman.

Resolution lost.

The resolution of Mr. Beal, in regard to the company organized by the 7th General Assembly, for the protection of the frontier, whether sent out a third time, and if so, upon what information, was, on motion, adopted.

The resolution of Mr. Bennett, regarding the bills of Messrs. Traer, Jones & Gray, Commissioners for the institution for the blind, at Vinton, was, on motion, adopted.

On motion of Mr. Robb, house file number 2 was taken up and read a third time, and upon the question, shall the bill now pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Connor, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin,

Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—82.

The nays were—None.

Absent or not voting—Clark of Des Moines, Merrill, Hall and Shipman.

The bill passed, and the title was agreed to.

Mr. Bowdoin offered the following resolution :

Resolved, That in order to facilitate the transaction of business, the Chief Clerk be authorized and requested to furnish to each of the members of the house, on or before the opening of the morning session, a printed order of the day, showing the unfinished business of the day in its order. Which was adopted.

Mr. Claggett offered the following resolution :

Resolved, That the Secretary of the State Agricultural Society, be requested to report to this house, the manner in which the \$2,000 appropriated by the State to aid the State Agricultural Society for 1859, has been expended ; the amount of his salary, whether the State Agricultural Society furnishes him an office, and pays for the same, and the amount thereof. Whether the Agricultural Society paid to him any other money, if so, to state the amount, and the objects for which it was paid, specifically.

Resolved further, That the Chief Clerk of this house, have a copy of this and the foregoing resolution served on the Secretary, by the Sergeant-at-Arms of the house, if the Secretary can be found in this city. Which was adopted.

Mr. Withrow offered the following resolution :

Resolved, That there be 3,000 additional copies of the report of the Auditor of State printed for the use of this house.

Which was adopted.

Mr. Lynch offered the following resolution :

Resolved, That the Attorney General be instructed to report to this house what progress has been made in collecting the \$70,000 in the hands of Eads, formerly Superintendent of Public Instruction ; also to report the condition of the claims against Peter Moriarty, which was, on motion of Mr. Bennett, included in the above resolution of enquiry, and was adopted.

Mr. Gue, from the committee on standing rules of the house, reported back the rules of the last house, with sundry amendments ; which report, after being further amended, was adopted, and the amended rules ordered printed.

Mr. Baker offered the following resolution :

Resolved, That the Chief Clerk be instructed to have printed, 300 copies of the Rules and Joint Rules of the Senate and House of Representatives, their age, occupation, profession, religion, and where boarding, &c., &c.

Which was adopted.

On motion of Mr. Tompkins, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
January 17, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Peet.

Journal of yesterday read and approved.

The following message from the Senate was received by Mr. Sanders, their Secretary:

MR. SPEAKER:—I herewith return to the house, house file number 11, a bill for an act fixing the times of holding courts in the 11th judicial district, the same having passed the Senate without amendment.

Also, I am directed to notify the House, that the Senate has appointed Messrs. McPherson, Davis of Polk, and Pusey, as a committee of conference, to act with a similar committee on the part of the House, in relation to the disagreement of the two houses, on the concurrent resolution, appointing E. H. Brown, P. M. to the General Assembly.

J. H. SANDERS, Secretary of Senate.

The following communication from the Governor, was received by his private secretary Mr. Withrow.

EXECUTIVE OFFICE, IOWA, }
January, 1860. }

Gentlemen of the House of Representatives:

In answer to the resolution passed on yesterday by the House of Representatives, enquiring "whether the company raised by the Seventh General Assembly for the protection of the frontier, has again been ordered into service for the third time, and if so, upon what reliable information such action was taken." I reply that said company has not again been ordered into service for the third time, nor has any information been received by me indicating a necessity for its services during the present winter.

SAMUEL J. KIRKWOOD.

Which, on motion of Mr. Clark of Des Moines, was laid on the table.

PETITIONS AND REMONSTRANCES.

Mr. Robb presented the petition of citizens of Clay county, asking that O'Brien county be attached to the county of Clay, for election, revenue and judicial purposes, which was referred to committee on new counties.

Mr. Robb presented the petition of tax payers in O'Brien county asking that it be attached to Clay county, for election, revenue and judicial purposes, which was referred to committee on new counties.

Mr. Robb presented the petition of citizens of Plymouth county,

praying for the repeal of chapter 62 of the laws of the 7th General Assembly. Referred to a select committee, consisting of Messrs. Robb, Rees, Millard, Wright and Robinson.

Mr. Robb presented the petition of citizens of Plymouth county, asking relief for those counties that have not enough citizens to form juries, which was referred to the committee on judiciary.

Mr. McQuinn presented a memorial from the Cedar Rapids and Missouri River Railroad Company to the Legislature of Iowa, which was referred to the committee on railroads.

Mr. Gurley presented a memorial in relation to the compensation of agents for selecting swamp lands, which was referred to the committee on claims.

Mr. Beal presented the petition of citizens of Boone county praying the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Dennison presented the petition of citizens of Greene county, asking the State to donate certain lands to the Cedar Rapids & Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Tompkins presented the petition of citizens of Tama county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Macomber presented the petition of the Board of Directors of Queen City township district, Adams county, Iowa, which was referred to the committee on schools.

Mr. Peet presented the petition of legal voters of Clayton county, praying for the abolition of the office of County Judge, and the establishment of township organization and a board of supervisors, referred to committee on county and township organization.

Mr. Rosenkrans presented the petition of citizens of Story county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Bremner presented the petition of citizens of Marshall county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad, which was referred to the committee on railroads.

Mr. Crawford presented the petition of citizens of Linn county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Parker presented the petition of citizens of Clinton county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Kellogg offered the following resolution:

Resolved, That the committee on judiciary be directed to report on the validity and effect of the several Joint Resolutions passed at the last session of the General Assembly, and published as laws of this State.

Adopted.

Mr. Bennett offered the following resolution :

Resolved, That the committee on constitutional amendments be instructed to enquire into the expediency of reporting a law submitting to the people of Iowa to amend the Constitution, by abolishing the Board of Education.

Adopted.

Mr. Baker offered the following resolution :

Resolved, That the committee on constitutional amendments be directed to inquire into the expediency of striking out section 10, article 5, of the Constitution of this State.

Adopted.

Mr. Bennett offered the following resolution, which was read, and laid over, under the rule :

WHEREAS, at the last session of the General Assembly of the State of Iowa, a resolution was adopted by the Senate directing the Auditor of State to report the names of all persons employed as clerks in the several state offices, during the year then past, with the amounts paid to each ; also, that he report the disposition of any contingent fund, which he or the other State officers may have expended during said year ; also, that the Auditor be further instructed to report the date, number, payee and amount of each warrant issued between the fourth day of November, 1856 and 1858, specifying particularly for what each warrant was drawn : and

WHEREAS, the Senate adopted a resolution instructing the Secretary of State, made in response to the following resolution :

Therefore, Resolved, That the Secretary of State be required to report whether or no the said report was deposited in his office, and if so, that said officer be trequired to furnish a copy of said report to this House.

The following message was received from the Senate by Mr. Sanders their Secretary :

MR. SPEAKER :—I herewith return to the House the concurrent resolution adopting the Joint Rules of the last General Assembly the Senate having refused to concur in the amendment made thereto by the House, viz : the striking out of the 8th Rule.

J. H. SANDERS, Secretary.

Mr. Clark, of Jefferson, offered the following resolution :

Resolved, That one thousand copies of the census returns be printed for the use of this house.

Which was, on motion of Mr. Wright, referred to the committee on expenditures.

Mr. Taylor offered the following resolution :

Resolved, That the Secretary of State be requested to furnish each member of this house with a copy of the constitution of the State of Iowa.

Mr. Kellogg offered the following amendment:

Resolved, That the Chief Clerk be instructed to furnish each member of this house, with a copy of the code, a copy of the debates of the constitutional convention, and the acts of the last five sessions of the Legislature.

Mr. Claggett offered to amend the amendment by inserting, *Provided*, the same can be had without reprinting.

Mr. Baker moved to refer the resolution and amendments to the committee on charitable institutions.

Mr. Bowdoin moved to amend by referring the whole matter to the committee on printing, which was adopted.

Mr. Baker offered the following resolution:

Resolved, That the special committee on State printing, binding, and other matters connected therewith, be authorized to employ Wells Spicer, as clerk. Lost.

Mr. Moser offered the following resolution:

Resolved, That the committee on agriculture be instructed to enquire into the expediency of exempting from taxation, improvements to the amount of one thousand dollars, upon all farming lands.

Which, on motion, was referred to committee on agriculture.

Mr. Peet offered the following resolution:

Resolved, That the State Printer be required to print the laws which he may publish by authority, only on one side of the same newspaper.

Mr. Baker offered the following amendment:

Resolved, That the committee on public printing be directed to enquire into the expediency of providing for the publication of the laws in all the newspapers in this State.

Which was lost.

The question recurring upon the original resolution, it was lost.

Mr. Kellogg offered the following resolution:

Resolved, That the committee on ways and means be requested to enquire into the expediency of exempting from taxation, all buildings worth not more than two hundred dollars. Also, to enquire into the expediency of taxing uncultivated lands the same as those under cultivation; *Provided*, Said uncultivated lands are equal in location, and lay as well as those under cultivation.

Which was lost.

Mr. Macomber offered the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of reporting a bill abolishing so much of the present revenue laws, as requires that the delinquent tax list be published in a newspaper, if one be published in the county.

On motion of Mr. Caldwell, this resolution was referred to committee on ways and means.

Mr. Millard offered the following resolution :

Resolved, By the General Assembly of the State of Iowa, that we instruct our Senators, and request our Representatives in Congress, to use their influence to procure the passage of a homestead law, giving to actual settlers one hundred and sixty acres of the public lands, not otherwise disposed of.

Which was referred to the committee on federal relations.

Mr. Jones offered the following resolution :

Resolved, That the committee on schools be instructed to take into consideration the propriety of repealing the act creating sub-school districts.

Which was adopted.

Mr. Bennett offered the following resolution :

Resolved, That the committee on agriculture be instructed to enquire into the expediency of consolidating the offices of Secretary of the Agricultural Society of the State, and Agricultural College, and report by bill or otherwise, blending these institutions into one society.

Mr. Olaggett offered the following amendment :

And that the committee also inquire into the propriety of abolishing the Agricultural Farm ; which resolution and amendment were adopted.

Mr. Rosenkrans offered the following joint resolution—a joint resolution instructing the Governor to withhold all further certificates for lands from the railroad companies in this State, in certain contingencies :

Be it Resolved, by the General Assembly of the State of Iowa, That the Governor is hereby instructed to withhold all further certificates of land from the railroad companies of this State, until said companies shall relinquish their pretended title to the swamp and over-flowed land heretofore selected by the State, and lying within the limits of the land grant made to said roads, and to take such other means as he and his legal advisers may deem necessary to protect the interest of the counties and State, in any dispute that may arise in consequence of the conflicting interests of said roads and the State, in relation to said lands.

Which was read a first and second time, and referred to committee on public lands.

Mr. Beal offered the following resolution :

Resolved, That a committee be appointed by the Speaker, consisting of one from each judicial district, to act in concert with a similar committee on the part of the Senate, for the purpose of re-districting the State into Representative and Senatorial districts, and be instructed to report a bill for that purpose.

Which was carried.

Mr. Robb offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of abolishing grand juries.

Which was adopted.

Mr. Robinson offered the following resolution :

Resolved, That when reports, messages and documents, ordered by law, or by resolutions of this House, come into possession of the messengers, that they be directed to distribute them equally to the members of this House.

Which was adopted.

Mr. Jones offered the following resolution :

WHEREAS, It is of vital importance to the people of this State, to have a good and practicable revenue law, and as the present law is supposed to be defective and not uniform in its operations, therefore,

Resolved, That the committee on ways and means be appointed to act as a standing committee on revenue, to whom all revenue bills that may hereafter be introduced, and also those reported back from the different committees, be referred to said committee, and said committee take into consideration and under advisement the revenue law of the 7th General Assembly of the State of Iowa, and report by bill or otherwise.

Which, on motion of Mr. Bowdoin, was referred to committee on ways and means.

Mr. Kellogg offered the following resolution :

Resolved, That when this House adjourns, that it adjourn to meet Thursday, the 19th inst., at 10 o'clock, A. M.

Which was adopted.

On motion of Mr. Wright, the committee on public buildings were also made committee on public property.

REPORTS OF SELECT COMMITTEES.

Mr. Curtis, from the select committee, to whom was referred house file number 1, reported as follows :

MR. SPEAKER :—The special committee, to whom was referred house file number 1, a bill for an act to amend chapter 150, of the acts of the 7th General Assembly, beg leave to report that they have had the same under consideration, have made sundry amendments thereto, in which the concurrence of the House is asked, and that they then recommend the passage of the bill, thus amended.

J. C. CURTIS, Chairman.

On motion of Mr. Caldwell, Messrs. Curtis and Ruddick were added to the committee on judiciary.

Mr. Witter moved that the committee on charitable institutions have a clerk. Lost.

By consent, house file number 1, was taken up, the amendments adopted, and read a third time.

The question being upon the passage of the bill, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, Wright, Mr. Speaker—84.

The nays were—None.

Absent, or not voting—Messrs. Hall, and Williamson of Louisa.
The bill was passed and the titled agreed to.

BILLS INTRODUCED.

By Mr. Davis, of Johnson: house file number 37, a bill for an act requiring a list of voters to be taken and posted before election; which was read a first and second time, and referred to committee on elections.

By Mr. Kellogg: house file number 38, a bill for an act entitled an act to amend section 20 of an act entitled an act authorizing General Banking in the State of Iowa, approved March 22, 1858; which was read a first and second time, and referred to committee on banks.

By Mr. Wright: house file number 39, a bill for an act providing for the payment of pro tem. officers of the 8th General Assembly; which was read a first and second time.

Mr. Claggett offered the following amendment to said bill: *Provided*, That the provisions of this act shall not apply to any other pro tem. officer, except the Clerk.

On motion of Mr. Bowdoin, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The question was on the amendment to house file 39, by Mr. Claggett; which was lost.

On motion of Mr. Goodrell, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bowdoin, Barnes, Blackford, Bemis,

Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—50.

The nays were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Whitaker, Williamson of Warren—34.

Absent, or not voting—Messrs. Hall and Quinn.

Bill passed, and the title was agreed to.

Mr. Baker, from the committee of conference with Senate, relative to Post-Master, offered the following resolution:

Resolved, That W. W. Maynard, of Council Bluffs, be appointed to the office of Post-Master of this Legislature.

On motion of Mr. Caldwell, the resolution was adopted.

By Mr. Kellogg: house file number 40, a bill for an act to require private prosecutors to give security for costs; read first and second time, and referred to committee on judiciary.

By Mr. Claggett: house file number 41, an act relating to the foreclosure of mortgages on real property, and for the issuing of executions; read a first and second time, and on motion, laid on table, and usual number printed.

By Mr. Cowing: house file number 42, a bill for an act to amend section 75, of chapter 152, of the acts of the 7th General Assembly; read first and second time, and referred to committee on ways and means.

By Mr. Mitchell: house file number 43, a bill for an act to amend an act entitled an act in relation to revenue; read first and second time, and referred to committee on ways and means.

By Mr. Rosenkrans: house file number 44, a bill for an act entitled an act to amend an act passed at the 5th General Assembly, in relation to the disposition of swamp lands, in certain contingencies; read first and second time, and referred to committee on public lands.

By Mr. Jones: house file number 45, a bill for an act providing for the management of the school fund, and sale of school lands, approved March 23d, 1858; which was read first and second time, and referred to committee on schools.

By Mr. Paulk: house file number 46, a bill for an act to amend section 16, chapter 158, of the laws of 1858, in relation to school lands and school fund; read first and second time, and referred to committee on schools.

By Mr. Stanton: house file number 47, a bill for an act for the transfer of the title of real estate; read first and second time, and referred to committee on judiciary.

By Mr. Dennison: house file number 48, a bill for an act to amend section 16, chapter 154, of acts of 1858, vesting the powers of township trustees; read first and second time, and referred to committee on county and township organization.

By Mr. Lynch: house file number 49, a bill for an act in amendment of chapter 154 of laws of 1858, relating to repairing of highways, and the duties of township officers; read first and second time, and referred to committee on county and township organization.

By Mr. Reed: house file number 50, a bill for an act to amend an act entitled an act to provide for the making and repairing of public highways, and prescribing the duties of township officers in certain cases, approved March 23d, 1858; read first and second time, and referred to committee on roads and highways.

By Mr. Rosenkrans: house file number 51, a bill for an act allowing a bounty for the killing of black birds; read first and second time, and referred to the special committee consisting of Messrs. Robb, Rees, Millard, Wright and Robinson; and on motion, Messrs. Rosenkrans and Moser were added to said committee.

By Mr. Clark, of Johnson: house file number 52, a bill for an act to change the times of holding courts in the eighth judicial district; which was read a first and second time, and referred to a committee consisting of the delegates from the eighth judicial district.

By Mr. Clark, of Johnson: house file number 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum; read first and second time, and referred to committee on charitable institutions.

By Mr. Dennison: house file number 54, a bill for an act to amend section 37, chapter 152, of the acts of 1858, defining the manner and order of describing lands in the tax book; read first and second time, and referred to committee on ways and means.

House file number 3 was taken up, and ordered to be engrossed and read a third time on to-morrow.

Mr. Gurley moved to reconsider the vote by which the Rules of the House were adopted; which was lost.

Mr. Millard moved to reconsider the vote by which the resolution was adopted, in which the Clerk was instructed to have printed for distribution, every morning, the order and amount of unfinished business; which was reconsidered, and on motion of Mr. Withrow, was indefinitely postponed.

Mr. Taylor moved that Messrs. Witter and Jennings be added to the committee on railroads.

On motion, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES, }
Thursday, January 19, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Summerbell.

The Journal of the 17th read and approved.

The following message was received from the Senate, by their Secretary, Mr. Sanders:

MR. SPEAKER:—I am directed by the Senate to inform the House that the Senate has concurred in the report of the committee of conference, on the subject of Post-Master to the General Assembly.

I am also directed to return house file number 2, "a bill for an act fixing the times of holding courts in the 4th judicial district," the same having passed the Senate without amendment.

Mr. Speaker announced the following committees:

Committee on constitutional amendments—Messrs. Noble, Jones, Price, Cottle and Conner.

Committee on printing—Messrs. Bereman, Jennings, McQuinn, Whitaker and Hunt.

Select committee to apportion the State into senatorial and representative districts—Messrs. Beal, Goodrell, Stevens, Cowing, Wright, Clark of Des Moines, Streeter, Robb, Shipman, Moser and Peet.

PETITIONS.

Mr. Wright presented the petition of citizens of Cedar county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company; which was referred to committee on railroads.

Mr. Robb presented the petition of citizens of Woodbury county, asking for the repeal of all prohibitory laws, and establishing a license law; which was referred to the select committee on that subject.

Mr. Shipman presented a petition for the repeal of the existing liquor laws, and the passage of a license law; which was referred to the select committee on that subject.

Mr. Witter presented a memorial of the Chicago, Iowa & Nebraska Railroad Company; which was referred to the committee on railroads.

Mr. Ruddick presented the petition of citizens of Bremer county, asking the abolition of the office of County Judge; referred to committee on county and township organization.

Mr. McQuinn presented the petition of citizens of Marshall county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Witter presented the petition of citizens of Linn county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Tompkins presented the petition of citizens of Tama county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Beal presented the petition of citizens of Boone county asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Parker presented the petition of citizens of Clinton county, asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad Company, which was referred to the committee on railroads.

Mr. Rosenkrans presented the petition of citizens of Hamilton county, praying for the abolition of the County Judge system, and the establishment of the township system, and a court of quarter sessions; which was referred to the committee on county and township organization.

Mr. Campbell presented the petition of citizens of Keokuk Co., asking that the road law be printed in pamphlet form; referred to committee on roads and highways.

RESOLUTIONS.

Mr. Jones offered the following resolution:

Resolved, That the committee on expenditures be requested to report a bill reducing the pay per annum of county officers, and that those officials be paid with the fees of their respective offices, according to the work performed, until the fees amount to a certain sum, the balance to be paid into the county treasury for the use of the county.

Mr. Caldwell moved to amend by striking out "to report a bill" and inserting "to inquire into the expediency of reporting a bill," which was adopted and the resolution adopted.

Mr. Cottle offered the following resolution:

Resolved, That the committee on schools be instructed to inquire into the expediency of abolishing the office of county school superintendent, and institute school teachers examiners, and also to abolish the township organization, and substitute the independent sub-district.

Lost.

Mr. Dunlavey offered the following resolution:

Resolved, That the committee on judiciary be requested to inquire into the expediency of amending all laws now in force in relation to grand jurors, so that a grand jury may be summoned and

empanelled only after some person or persons have been held to answer for a felony in said county, and that said committee report by bill or otherwise.

Mr. Morehead offered the following resolution :

Resolved, That the committee on schools be instructed to inquire into the expediency of so altering the law that sub-districts may be formed of territory of adjoining counties. Under the new law, school districts cannot extend beyond the limits of the county, thereby destroying the interest of many school districts; and report by bill or otherwise.

Lost.

Mr. Bennett offered the following resolution :

Resolved, That the Auditor of State be required to report to this House the number of days occupied by the commissioners to examine State offices, also, for what the sum of \$608 was expended, as stated on page 8 of his report.

Also, whether said commissioners have received any further sum and if so, the amount and for what said money was paid, which was read and laid over under the rule.

Mr. Bennett offered the following resolution :

WHEREAS, No regulations consistent with safety to the State exist as to the delivery and use of the State printing papers: and

WHEREAS, In consequence of the want of such regulations and proper checks, it is common rumor, generally believed, that a considerable quantity of the State printing paper has in various ways been misapplied, lost and squandered :

Wherefore, Resolved, That the committee on printing be invested with power to send for persons and papers, who shall inquire into the following particulars :

1st. What amount of paper has been delivered to the State Printer for the last two years, and the cost of the same.

2d. How many sheets in separate documents ordered to be printed within that time.

3d. Whether the number ordered and paid for have been duly delivered, and the evidence thereof.

Which was adopted.

Mr. McCollough of Jackson, offered the following resolution :

Resolved, That the judiciary committee be authorized to report to the House, by bill or otherwise, the necessity of a law making the property subject to sale under execution for the purchase money, *Provided*, The title to the real property be in the purchaser, and personal property be in his possession after judgment obtained by the vendor.

Carried.

Mr. Lambert offered the following resolution :

Resolved, That the Post Master of this General Assembly be instructed to deposit the matter sent from this House, in the Post office in this city on the west side of the river.

Mr. Caldwell moved to amend by striking out "on the west side" and insert "the post office where the most speedy transmit of the mail matter can be accomplished. Lost.

Mr. Claggett moved to lay on the table. Lost.

The question recurring upon the original resolution, was adopted.

Mr. Rees offered the following resolution :

Resolved, That the committee on schools and state university be requested to examine and report the expediency of revising and republishing the school laws now in force in this State, for general distribution.

Adopted.

Mr. Caldwell offered the following resolution :

Resolved, That the committee on ways and means be instructed to report a bill providing for the taxation of railroads and the real and personal property of railroads.

Which was adopted.

Mr. Ruddick offered the following resolution :

Resolved, That the committee on ways and means be instructed to inquire into the expediency of passing a law for the relief of purchasers of lands at tax sales under the old laws, whose claims have not been foreclosed.

Which was adopted.

Mr. Beal offered the following resolution :

Resolved, That the committee on printing be directed to inquire whether the Iowa Reports cannot be furnished to the State at a less sum than five thousand dollars per year; also, whether they cannot be sold to private persons at a less price than the present.

Which was adopted.

Mr. Ellis offered the following resolution :

Resolved, That the judiciary committee be required to enquire into the expediency of so amending the law now in force as regards witness, juror and other fees in courts of justice, that such person shall have control of said fee and collect the same by fee bill issued from said court when due, independent of other parties therein ; and report by bill or otherwise.

Lost.

Mr. Shipman offered the following resolution :

Resolved, That the committee on agriculture be instructed to bring in a bill to abolish all existing hog laws.

Lost.

Mr. Wright offered the following resolution :

Resolved, That the committee on printing be required to examine into the expediency of having all laws relating to the duties of township officers published in a separate volume, and if considered expedient to report by bill. Adopted.

REPORTS OF COMMITTEES.

The special committee consisting of the delegations from Jack-

son, Clinton, Scott and Muscatine counties, to whom was referred house file number 16, being a bill entitled an act fixing the terms of the courts for the seventh judicial district, have directed me to report the following resolution :

N. B. BAKER, for Committee.

Resolved, That the further consideration of said bill be indefinitely postponed.

Which resolution the House concurred in.

The special committee consisting of the delegations from the counties of Jackson, Clinton, Scott and Muscatine, to whom was referred house file number 17, being a bill entitled an act fixing the times of holding courts in the seventh judicial district, have directed me to report the same with the following amendment.

N. B. BAKER, for Committee.

Strike out section 4, and insert "This act shall take effect from and after its publication in the Muscatine Journal, Davenport Gazette, Bellevue Courier and DeWitt Standard, the cost of publication in each county to be paid for by such county.

Which amendment the house concurred in, and on motion of Mr. Baker, the rule was suspended, the bill read a third time, and upon the question Shall the bill now pass? the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremer, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gae, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—85.

The nays were—None.

Absent—Mr. Hall.

The bill passed, and the title was agreed to.

REPORTS OF COMMITTEES.

The committee on claims have directed me to present the within claims to the house, and recommend that they be allowed, and be referred to the committee on ways and means.

E. WRIGHT.

Which recommendation the house concurred in, and the claims were so referred.

JOURNAL OF THE REPORTS JUDICIARY.

The judiciary committee, to whom was referred house file number 26, an act to amend an act entitled an act providing for the election of District Attorneys, and prescribing their duties, and fixing their compensation, have had the same under consideration, and herewith report the same back, and recommend its indefinite postponement.

H. C. CALDWELL, Ch'm Judiciary Com.

Which recommendation the house concurred in.

The judiciary committee to whom was referred house file number 40, an act to require private prosecutors to give security for costs, have had the same under consideration, and herewith report the same back, and recommend its indefinite postponement.

H. C. CALDWELL.

Which recommendation the house concurred in.

The judiciary committee, to whom was referred a resolution directing the committee to inquire into the expediency of abolishing Grand Juries, have had the same under consideration, and have directed me to report that the inquiry into the expediency of abolishing the Grand Jury system, would be fruitless, inasmuch as the system is incorporated into the constitution of the State, and cannot be abolished without first amending or altering the constitution, and recommend its indefinite postponement.

H. C. CALDWELL, Ch'm Judiciary Com.

On motion of Mr. Robb, the report was laid on the table.

On motion of Mr. Caldwell, house file number 14, referred to committee on judiciary, was referred to committee on appraisal laws.

ENROLLED BILLS.

The committee on enrolled bills have examined house file number 11, a bill for an act fixing the times of holding courts in the several counties in Eleventh Judicial District, and find the same correctly enrolled.

J. W. DENNISON,
J. E. WILLIAMSON.

ENGROSSED BILLS.

The committee on engrossed bills, beg leave to report that they have examined house file number 3, an act to amend section two of chapter one hundred and fifty-five, of the acts passed at the regular session of the Seventh General Assembly, approved March 23d, A. D. 1858, and have found the same correctly engrossed.

A. M. COWING, Ch'm.

BILLS INTRODUCED.

By Mr. Baker: house file number 55, a bill for an act relating

to sales under execution ; which was read a first and second time, and referred to committee on judiciary.

By Mr. Baker : house file number 56, a bill for an act relating to the publication of laws ; which was read first and second time, and referred to the committee on judiciary.

By Mr. Rees : house file number 59, a bill for an act to repeal part of section six, of chapter ninety-three, acts of the Seventh General Assembly ; which was read a first and second time, and referred to the committee on Des Moines river improvement.

By Mr. Jennings : house file number 58, a bill for an act to amend chapter 171, of the acts of the Sixth General Assembly ; which was read a first and second time, and referred to committee on judiciary.

By Mr. Bracewell : house file number 59, a bill for an act entitled an act regulating the compensation of jurors ; which was read a first and second time, and referred to the committee on judiciary.

By Mr. Rees : house file number 60, a bill for an act to pay Major William Williams, and others, for services and supplies, whilst on Spirit Lake expedition, 1857 ; which was read a first and second time, and referred to committee on claims.

By Mr. Harris : house file number 61, a bill for an act amending an act in relation to revenue, passed at the Seventh General Assembly of the State of Iowa, approved March 23d, 1858 ; which was read a first and second time, and referred to committee on ways and means.

By Mr. Darling : house file number 62, a bill for an act to amend section 251, chapter 25, of the code, entitled an act for the manner of conducting general elections, and the canvass of votes ; which was read a first and second time, and referred to committee on elections.

By Mr. Jones : house file number 63, a bill for an act to amend an act of the seventh session of the General Assembly of Iowa, entitled the Revenue Law, approved March 28d, 1858 ; which was read first and second time, and referred to committee on ways and means.

By Mr. Moser : house file number 64, a bill for an act for the restriction of the powers of County Judges ; which was read a first and second time, and referred to committee on judiciary.

By Mr. Moser : house file number 65, a bill for an act to guard Grand Juries ; which was read first and second time, and referred to committee on judiciary.

COMMUNICATIONS ON SPEAKER'S DESK.

To the Honorable, the Speaker, and

House of Representatives of the State of Iowa :

A copy of the resolution passed by your honorable body, ma-

king enquiry as to the manner in which the annual appropriation from the State, to the State Agricultural Society, has been expended, for the past year, has been placed in my hands; and I hasten to furnish the desired information.

The \$2,000 received from the State, is not kept separate from the other funds of the Society. All the receipts, from whatever source, go into the hands of the Treasurer, and are paid out by him only on the order of the President, countersigned by the Secretary.

The amount paid out in premiums the past year, according to the Treasurer's report, was \$1,949 50.

During the year, the Board of Directors secured a design for a Diploma, and had it engraved upon steel, at an entire cost of \$655. It is a beautiful work of art, emblematical of the leading departments of the agricultural and mechanical industry of the State. In beauty and significance, it surpasses all other States, and will answer the purpose for which it is designed, for all time. One hundred dollars was paid as a premium, for the design, and one hundred dollars as my expenses to New York, to secure the engraving. We were advised to send some one to make the contract, by parties who had had some experience in getting that kind of work done, and the result showed the wisdom of that advice; as the steel engraving establishments which are known to the world as such, asked from \$1,250 to \$1,500, for the same work which we got done, equally as well as they would have done it, at \$450. This saving was secured by hunting out the men who do the work, and not men who take contracts. The Society still owes the engraver and printer, \$155, which is the only debt now outstanding.

In order that you may have the expenditures in full for the past year, I copy the following from the Treasurer's report:

EXPENDITURES.

To salary of Secretary and assistants.....	\$1,062 00
“ salary of Treasurer and assistants.....	124 00
“ expenses of Directors.....	492 00
“ torage.....	96 98
“ printing.....	345 50
“ postage.....	77 14
“ stationery.....	12 90
“ incidental.....	155 46
“ Marshals.....	20 00
“ Capewell & Kimmel, in part for engraving Dip.	300 00
“ exchange on draft to Capewell & Kimmel.....	4 50
“ design for Diploma.....	100 00
“ expenses of Wallace to N. Y. to secure engraving	100 00
“ repairing reaper.....	2 50
“ policemen at Fair.....	115 00

\$3,007 93

The first year of my connection with the Society as Secretary, I received \$500, the second \$666, the third and fourth, each \$1000, and the present year my salary is reduced to \$800. During this time the Society has not paid one dollar office rent; and at no time during this period (except a part of the first year), have I paid less than \$75 per annum, for this purpose.

At no time have I received any money from the Society, unless it was for money advanced by me for freight, express charges, stationery, light and fuel; or, my travelling expenses to and from two meetings of the board in the year.

J. H. WALLACE,

Sec'y Iowa State Agricultural Society.

Mr. Claggett moved to refer the report to a select committee.

Mr. Shipman moved to amend, by referring it to the committee on agriculture, which was carried.

AUDITOR'S OFFICE, Iowa.

HON. JOHN EDWARDS,

Speaker of the House of Representatives.

DEAR SIR:—Find herewith a communication, which please lay before the House of Representatives at a suitable time, and oblige

Yours very truly,

J. W. CATTELL.

STATE OF IOWA, AUDITOR'S OFFICE, {
Des Moines, Jan. 17th, 1860. }

*To the Hon. the House of Representatives,
of the State of Iowa.*

GENTLEMEN:—I am in receipt of several resolutions of your honorable body requesting information on matters of expenditures, by detailed statements. The compliance with these resolutions will require a considerable amount of labor, and it will probably require some weeks to comply with them, with only the present help employed in the office, unless the regular business be neglected, as the present force is barely sufficient for the ordinary labors. The appropriation for clerk hire in the office is insufficient to pay for additional help, and not thinking myself authorized to employ an additional clerk when there is no means provided to pay the same, I have thought best to report the facts, that your honorable body may determine whether you will authorize the employment of additional help, or allow time for the present force to make out the reports, called for in said resolutions, which in either case will be done at the earliest day practicable.

Very respectfully,

J. W. CATTELL.

Mr. Baker offered the following resolution:

Resolved, That the Auditor of State be authorized to employ

sufficient clerk hire to comply forthwith with the orders of this House.

Which was adopted.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Monday, January 20th, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Summerbell.

Journal of yesterday read and approved.

Mr. Baker moved to reconsider the resolution adopted on yesterday, instructing the Post Master to deposit the mail matter in the post office on the west side of the river, in Des Moines, which was carried.

Mr. Caldwell renewed the motion made by him on yesterday, that the Post Master be instructed to deposit the mail matter in the office insuring the most speedy transit.

Mr. Jennings moved to amend Mr. Caldwell's motion by leaving the matter with the Chief Clerk.

Mr. Claggett moved to lay the whole matter on the table, which was adopted.

PETITIONS.

Mr. Beal presented the petition of citizens of Boone county, asking certain lands for the Cedar Rapids and Missouri River R. R. Co. Referred to committee on rail roads.

Mr. Baker presented the petition of citizens of Clinton county, asking certain lands for the Cedar Rapids and Missouri River Rail Roads. Referred to committee on rail roads.

Mr. Dennison presented the petitions of citizens of Greene county, and

Mr. Rosenkrans from citizens of Story,

" Wright from citizens of Cedar,

" Bremner from citizens of Marshall,

" Witter from citizens of Linn,

" Parker from citizens of Clinton,

all respectively asking the donation of certain lands to the Cedar Rapids and Missouri River Railroad Company, all of which were referred to committee on railroads.

The following message was received from the Senate by their Secretary, Mr. Sanders.

MR. SPEAKER:—I am directed by the Senate to inform the House that the Senate has passed House File No. 1, a bill for an act to amend chapter 150 of the acts of the Seventh General Assembly, with sundry amendments.

Also, that the Senate has passed senate file number 24, a bill for an act to enforce the collection of taxes for the year 1858. In all of which, the concurrence of the House is asked.

J. H. SANDERS, Secretary of Senate.

Mr. Baker presented the following communication :

Hon. N. B. Baker, Chairman, &c.:

I propose to do the State Binding on the following terms :

For stitching, folding and binding the laws and journals of the General Assembly, in strong paper covers, five cents per copy.

For folding and trimming messages and documents, not exceeding one sheet, fifteen cents per hundred copies.

For folding, stitching and trimming messages and documents, not exceeding one sheet, seventy-five cents per hundred copies.

For each additional sheet to the same, ten cents per hundred copies.

For binding books, the size of the Code, or Green's, or Clarke's Reports of the Supreme Court, full bound sheep, in a substantial binding, fifty cents per copy.

For every other kind of binding, the prices in proportion to the above.

W. LEE.

Hon. N. B. Baker, Chairman, &c.:

We, the undersigned, hereby agree to become bounden as surety for William Lee, of Iowa City, for the faithful performance of his duties as State Binder, and for the full performance of his contract as Binder, should the same be awarded to him.

LEGRAND BYINGTON,
GEO. W. McCLEARY,
JAMES H. GOWER,
M. J. MORSMAN,
E. SANGSTER.

Iowa City, January 17, 1860.

RESOLUTIONS.

Mr. Harris offered the following resolution :

Resolved, That the committee on county and township organization be instructed to enquire into the expediency of abolishing the salary system for county officers, and establish a fee bill in lieu thereof, and report by bill or otherwise.

Which was adopted.

Mr. Jennings offered the following resolution :

Resolved, That the Chief Clerk of this House be and is hereby

instructed to order from the Secretary of State, for the use of this House, twelve copies of Hall's Geological Survey for each member, and one copy for each officer of this House.

Mr. Wright offered the following substitute :

Resolved, That the Secretary of State be requested to inform this House how many copies of the Geological report are now in his possession, and how many have been sold.

Which was adopted.

Mr. Curtis offered the following resolution :

Resolved, That the committee on judiciary be directed to enquire what legislation, if any, is necessary to insure a more prompt and speedy publication and distribution of the session laws, journals, geological reports, and such other documents as shall be ordered published and circulated within the several counties of this State, and that they report by bill or otherwise.

Which was adopted.

Mr. Ruddick offered the following resolution :

Resolved, That the committee on schools and State university be instructed to inquire into the expediency of repealing the law imposing two per cent. per month as forfeiture on delinquent interest due the school funds of the State.

Which was adopted.

Mr. Curtis offered the following resolution, which was read, and and laid over, under the rule :

Resolved, That the Secretary of State be requested to inform this House, why the session laws, and other documents, ordered to be printed and distributed by the last General Assembly, in pursuance of law, were not thus distributed within the time contemplated by law.

Mr. Bracewell offered the following resolution :

Resolved, That the committee on roads and highways be directed to take into consideration, the propriety of a law authorizing the township trustees to locate or re-locate roads in their respective townships, and report by bill or otherwise.

Which was adopted.

Mr. Bennett offered the following resolution :

Resolved, That the State Printer be instructed to inform this House, whether the printing of the session laws, and other documents, of the 7th General Assembly, required to be printed, bound and deposited with the Secretary of State, by the 1st of May following said session, were printed in time for compliance with law, and if not, the reason for his failure.

Which resolution was laid over, under the rule :

Mr. Curtis offered the following resolution, which was read and laid over, under the rule :

Resolved, That the State Binder be instructed to inform this House, whether the laws, and other public documents, of the 7th General Assembly, required to be bound, were so bound and de-

posited in the office of the Secretary of State, within the time prescribed by law, and if not, the reason of his failure to comply with the law.

Mr. Conner offered the following resolution :

Resolved, That the committee on county and township organization be instructed to enquire into the expediency of enacting a law prohibiting the County Judge from submitting the question of the removal of county seats, oftener than once in three years.

Which was adopted.

Mr. Caldwell, from the judiciary committee, introduced the following resolution :

Resolved, That the committee on ways and means be instructed to report a bill providing for the taxation of railroads, and the real and personal property of railroad companies.

Which was adopted.

REPORTS OF COMMITTEES.

The committee on engrossed bills, beg leave to report that they have examined house file number 12, a bill for an act entitled an act to repeal part of section four, of chapter one hundred and forty-eight, of the laws of the Seventh General Assembly, and have found the same correctly engrossed.

A. M. COWING.

The following message was received from the senate, by their Secretary, Mr. Sanders :

MR. SPEAKER :—I am directed by the Senate, to inform the House, that the Senate has reconsidered the vote by which house file number 1, was passed, and request that the same be returned to the Senate.

J. H. SANDERS, Sec'y of Senate.

The committee on township and county organization, having had under consideration house file number 33, a bill relating to the organization of new counties, and have directed me to report the accompanying bill as a substitute.

C. GILLET, Chairman.

Mr. Caldwell moved to amend by striking out 50, and inserting 100. Lost.

Mr. Robb moved to amend, by adding that the bill be published also in the Sioux City Register, which was carried ; and on motion, the bill, as amended, was read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bremner, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gue, Gur-

ley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Morehead, Moser, Noble, Parker, Price of Muscatine, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williamson of Louisa, Wright and Mr. Speaker—60.

The nays were—Messrs. Bemis, Caldwell, Clark of Johnson, Darling, Gniffke, Goodrell, LeLacheur, Millard, Mitchell, Merrill, Paulk, Peet, Quinn, Rees, Robb, Sabin, Taylor, Williams, Withrow, Witter—21.

Absent, or not voting—Hall, Lambert, McCullough of Lee, Price of Lee, Williamson of Warren.

The bill passed, and the title was agreed to.

Mr. Shipman, from committee on new counties, reported as follows :

The committee on new counties have had under consideration house file number 32, and have directed me to report a bill as a substitute, and recommend its passage.

Mr. Robb moved to recommit, with the following instructions : That the committee on new counties, be instructed to amend the bill so that the counties to which the unorganized counties are attached, shall not tax the unorganized counties for the purpose of erecting public buildings, or school houses, or the support of schools in the said counties to which the unorganized counties are attached ; pending which the house adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The question being upon the re-commitment of the bill, with instructions, it was read first and second time and re-committed.

The committee on internal improvements, having had under consideration the petition of D. M. Garnet, and 57 others, praying that the Little Sioux River may be declared navigable, have instructed me to report the following bill.

J. MERRILL, for the Committee.

House file number 66, a bill for an act to provide for the navigation of the Little Sioux River ; which was read first and second time, and ordered engrossed, and read a third time on to-morrow.

The committee to whom was referred house file number 34, reported it back, recommending its indefinite postponement.

On motion, the bill was referred to the committee on county and township organization.

By Mr. Shipman : house file 67, a bill for an act to annex the county of O'Brien to the county of Cherokee, for election, revenue and judicial purposes ; which was read first and second time,

and referred to committee on county and township organization.

By Mr. Sabin : house file number 68, a bill for an act to secure the collection of taxes of 1858, in Mitchell county ; which was read first and second time, and referred to the committee on ways and means.

By Mr. Olaggett : house file number 69, a bill for an act relating to State Bank of Iowa and branches thereof, and to private banks and brokers ; which was read first and second time, and referred to committee on banks.

By Mr. Harris : house file number 70, a bill for an act providing for the pre-emption on swamp and overflowed lands ; which was read first and second time, and referred to committee on public lands.

By Mr. Sabin : house file number 71, a bill for an act to regulate the pay of Grand and Petit Jurors, and the number of same ; which was read first and second time, and referred to committee on judiciary.

By Mr. Jennings : house file number 72, a bill for an act to amend chapter 151, of the acts of the Seventh General Assembly ; which was read first and second time, and referred to committee on county and township organization.

By Mr. Beal : house file number 73, a bill for an act repealing chapter 151, of the acts of the Seventh General Assembly of the State of Iowa ; which was read first and second time, and referred to committee on printing.

By Mr. Bremner : house file number 74, a bill for an act for the relief of Marshall county. Read first and second time, and referred to a select committee, consisting of Messrs. Bremner, Robinson and Crawford.

By Mr. Haskell : house file number 75, a bill for an act for the collection of all debts less than \$100 ; which was read first and second time, and referred to committee on judiciary.

By Mr. Rosenkrans : house file number 76, a bill for an act to facilitate the recovery of estrays ; which was read first and second time, and referred to committee on agriculture.

By Mr. Beal : house file number 77, a bill for an act repealing chapter 19, of the acts of the Sixth General Assembly of the State of Iowa, entitled an act relating to evidence ; which was read first and second time, and referred to committee on judiciary.

By Mr. Jones : house file number 78, a bill for an act to amend an act requiring witness fees to be paid into county treasury ; which was read first and second time, and referred to committee on judiciary.

The following resolution was offered by Mr. Bennett :

Resolved, That the Auditor of State be required to report to this house the number of days occupied by the commissioners to examine State offices ; also, for what the sum of \$603 was expended, as stated on page 8, of his report. Also, whether said

commissioners have received any further sum; and if so, the amount, and for what said money was paid.

Was taken up and adopted.

The resolution of Mr. Bennett, regarding clerks employed in the State offices; also, with regard to Auditor's report from Nov. 4, 1856, to 1858; also, requesting the Secretary of State to furnish a copy of said report to this house, was taken up and adopted.

House file no. 12, was read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremer, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—83.

The nays were—None.

Absent or not voting—Hall, McCullough of Lee, Williamson of Warren.

The bill passed, and the title was agreed to.

House file number 3, was then read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Connor, Cottle, Cowing, Crawford, Curtis, Doggett, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gniffke, Gue, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, Millard, Morehead, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Whitaker, Williams, Witter, Wright, and Mr. Speaker—60.

The nays were—Messrs. Bereman, Bremner, Clark of Johnson, Darling, Davis of Jasper, Dennison, Gillett, Goodrell, Gurley, Haskell, Hoag, Hunt, Macomber, McQuinn, Mitchell, Merrill, Moser, Quinn, Rosenkrans, Shipman, Tompkins, Williamson of Louisa, Withrow—23.

Absent or not voting—Hall, McCullough of Lee, and Williamson of Warren.

The bill passed, and the title was agreed to.

House file 33: the committee on township and county organization reported this bill back, with substitute, which, on motion, was adopted. The rule was suspended, the bill read a third time, and upon the question being shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hoag, Hunt, Jennings, Kellogg, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright—64.

The nays were—Messrs. Beal, Bracewell, Bennett, Clark of Des Moines, Claggett, Conner, Deggett, Dunlavey, Ellis, Harris, Hedges, Hotchkiss, Jones, Le Lacheur, Peet, Robinson—16.

Absent, or not voting—Messrs. Campbell, Hall, Haskell, McCullough of Lee, Williamson of Warren, Mr. Speaker.

The bill passed and the titled was agreed to.

On motion, the message from the Senate relative to joint rules, was taken up, and the house insisted upon their amendment; whereupon a committee of conference was appointed, to wit: Messrs. Curtis, Wright and Gue.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Tuesday, January 21, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Summerbell.

Journal of yesterday read and approved.

PETITIONS.

Mr. Wright presented the petitions of citizens of Cedar county.

Mr. Beal presented the petitions of citizens of Boone county.

Mr. Witter presented the petitions of citizens of Linn county.

Mr. Baker presented the petitions of citizens of ———.

Mr. Bremner presented the petitions of citizens of Tama and Marshall counties.

Mr. Parker presented the petitions of citizens of Clinton county.

Each severally presented petitions, asking the State to donate certain lands to the Cedar Rapids, and Missouri River Railroad Company, which were referred to the committee on Railroads.

Mr. Withrow presented the petition of J. D. Hoag, asking payment as one of the commissioners to locate the seat of government, by the act of the General Assembly, bearing date February 22d, 1847; which was referred to the committee on claims.

Mr. Davis, of Johnson, presented the petition of citizens of Johnson county, asking the Legislature to amend certain acts relating to fences; which was referred to committee on agriculture.

RESOLUTIONS.

Mr. Lynch offered the following resolution :

Resolved, That the judiciary committee be instructed to prepare a bill to require commissioners on roads, to subscribe an oath before they enter upon their duties to view, or lay out public roads.

Mr. Curtis moved to lay the resolution on the table. Lost.

Mr. Curtis moved to amend making the resolution one of enquiry, which was adopted.

Mr. Curtis offered the following resolution :

WHEREAS, Our present judicial system so far as it recognizes the necessity of the interposition of grand juries in order to criminal prosecutions is based on an old English custom; the reasons for which, however good in England, do not exist under our form of government: and

WHEREAS, Said grand jury system is believed to be not only useless and expensive, but contrary to the genius of our free institutions, and opposed to the spirit of law reform, manifest both in Europe and this country: and

WHEREAS, Doubts have been expressed as to the power of a State under the 5th article of amendments to the Constitution of the United States to abolish said system: and

WHEREAS, The Constitution of Iowa expressly recognises it:

Therefore, Resolved, That the committee on constitutional amendments be instructed to inquire whether said system can be abolished without an infringement upon the Constitution of the United States; and if so, that they be further instructed to inquire into the expediency of submitting a proposition to amend the Constitution of the State of Iowa, so as to abolish said system of grand juries; and that they report to this House at an early day, by bill or otherwise. Adopted.

Mr. Olark, of Jefferson, offered the following resolution :

Resolved, That the salary of road supervisors be reduced to one dollar per day, which was referred to committee on highways.

Mr. Cowing offered the following resolution :

Resolved, That the committee on roads and highways be instructed to inquire into the expediency of opening all sectional lines as public highways, and report by bill or otherwise.

Mr. Lynch moved to indefinitely postpone, which was adopted.

Mr. Bennett offered the following resolution :

Resolved, That His Excellency, the Governor of the State of Iowa, be requested to furnish to this House at as early a day as possible, the report, or a copy of the same, of the committee to examine State offices, which was read and laid over, under the rule.

Mr. Dunlavey offered the following resolution :

Resolved, That the committee on highways be requested to inquire into the expediency of repealing the present road law, and reviving the road law which was in force when the present law was adopted.

Which was adopted.

Mr. Peet offered the following resolution :

Resolved, That the committee on ways and means be requested to inquire into the expediency of repealing chapter 60 of the session laws of 1855.

Which was adopted.

Mr. Rees offered the following resolution :

Resolved, That the committee on constitutional amendments be requested to report to this House the necessity of an amendment to the Constitution, authorizing the General Assembly to provide by law for the assessment and collection of taxes for general revenue.

Which was lost.

The following message was received from the Senate by Mr. Sanders, their Secretary :

MR. SPEAKER:—I am directed by the Senate to inform the House that Messrs. Wilson of Jefferson, Wilson of Dubuque and Anderson, have been appointed a committee to act with a similar committee on the part of the House, in relation to the disagreement of the two Houses on the Joint Rules.

Also, that the Senate has passed house file number 1, a bill for an act to amend chapter 150 of the acts of the 7th General Assembly, with sundry amendments, in which the concurrence of the House is asked.

J. H. SANDERS, Secretary of Senate.

Mr. Bracewell offered the following resolution :

Resolved, That the judiciary committee be instructed to inquire what further legislation is necessary to prevent the destruction of timber by trespassers, and report by bill or otherwise.

Adopted.

Mr. Conner offered the following resolution,

Resolved, That the committee on ways and means be requested

to inquire into the expediency of amending the revenue law so as to require that lands be assessed in their smallest legal sub-divisions and to commence the assessment at the north-east corner of each municipal township and to continue the assessment of each section in its numerical order.

Provided, That when a municipal township is composed of two or more congressional townships or parts of such townships, that the assessment shall commence in the north-east corner of each of said townships, or fractional townships, and continue in the order above mentioned. Adopted.

Mr. Kellogg offered the following resolution :

Resolved, That the use of this Hall be tendered to the Legislative Agricultural Club, for this evening, at 7 o'clock.

Adopted.

Mr. Clark, of Johnson, offered the following resolution :

Resolved, That the committee on ways and means be directed to inquire into the expediency of altering the law so that delinquent taxes of each year may be made payable after a certain time in each year, at the seat of government, and that they report by bill or otherwise.

Which was adopted.

Mr. Ellis offered the following resolution :

Resolved, That the judiciary committee be requested to enquire into the expediency of enacting a law requiring Sheriffs and other officers to enter all executions and attachments from other courts on record before acting upon them, and report by bill or otherwise.

Which was adopted.

Mr. Jones offered the following resolution :

Resolved, That the committee on printing, when reporting a bill on public printing be instructed to make provision in said bill that all State documents be uniform in length.

Which was lost.

Mr. Lynch offered the following resolution :

Resolved, That the committee on agriculture be requested to report to this House, by bill or otherwise, a bill defining what shall be a lawful fence.

Which was adopted.

Mr. Jennings offered the following resolution :

Resolved, That in the opinion of this House, the Editor of the Dubuque Herald labors under a very serious mistake when he announces through the columns of his Journal, that the present Governor of Iowa is a Democrat.

Mr. Streeter moved to refer the resolution to the committee on charitable institutions, which was adopted.

REPORTS OF COMMITTEES.

The committee composed of the delegations from the 8th Judi-

cial district, State of Iowa, to whom was referred house file number 52, beg leave to report that they have had the same under consideration, and herewith report a substitute therefor, and recommend the passage thereof. R. CLARK, of Johnson, Chairman.

On motion, the substitute was adopted.

Mr. Baker moved to amend by adding that the publication of this law should be paid for by the counties interested, to-wit: in the Iowa City Republican and the Iowa Weekly Visitor, which was adopted.

And, on motion, the bill as amended was read a third time, and the question being Shall the bill pass? the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—84.

The nays were—None.

Absent, or not voting—Messrs. Hall and Williamson of Warren.

The bill was passed, and the title was agreed to.

The committee on ways and means have had under consideration certain claims against the State, which were referred to them, and have directed me to report the accompanying bill, making appropriations for the payment of the same, and recommend its passage.

GURLEY, Oh'm.

By Mr. Gurley: house file number 79, a bill for an act making appropriations for furniture and improvements in the Capitol Building; which was read first and second time, and ordered to be engrossed and read a third time on Monday.

The judiciary committee, to whom was referred house file number 65, an act relating to grand juries, have had the same under consideration, and have instructed me to report the same back, and recommend its indefinite postponement; which report was concurred in.

The judiciary committee, to whom was referred house file number 64, "an act for the restriction of the powers of County Judge," have had the same under consideration, and have directed me to report the same back, and recommended its indefinite postponement.

CALDWELL, Oh'm.

Which report was concurred in.

The judiciary committee, to whom was referred house file number 59, an act regulating the compensation of juries; house file number 71, an act to regulate the pay of grand and petit jurors, and the number of the same, and house file number 58, an act to amend chapter 171 of the acts of the 6th General Assembly, have had said several bills under consideration, and have instructed me to report a substitute therefor, which is herewith submitted, and its passage recommended. CALDWELL, Ch'm.

Mr. Paulk moved to re-commit, with instructions that the committee on judiciary be instructed to inquire into the expediency of a law providing for the compensation of jurors by fees, to be paid by the parties in civil suits; and also, as to whether any additional legislation is needed, to promote the purity of trial by jury.

Pending which, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Olaggett also moved to re-commit, with instructions to inquire into the propriety of incorporating in the bill, a provision relating to the compensation of talis jurors, as distinct from jurors of the regular pannel.

Mr. Wright moved to lay the whole matter on the table. Carried.

The judiciary committee, to whom was referred house file number 77, an act repealing chapter 19 of the acts of the 6th General Assembly, entitled an act relating to evidence, have had the same under consideration, and have directed me to report the same back, and recommend its indefinite postponement, for the reason that it conflicts with the provisions of the constitution on the same subject.

CALDWELL, Ch'm.

Pending the question on the postponement of this bill, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, January 23d, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Waring.;

Journal of Saturday read and approved.

A message was received from the Governor, in writing, in relation to the Washington National Monument.

The House went into committee of the whole, Mr. Wright in the Chair, upon the resolution introduced by Mr. Lynch, regarding the abolition of the County Judge system, and the establishment of a Board of Supervisors. The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

PETITIONS.

Mr. Baker presented the petition of H. C. Cowgill, and others, asking for a law taxing dogs; which was adopted, and referred to committee on agriculture.

Mr. Williamson, of Louisa, presented a petition from citizens of Louisa county, asking a law requiring all stock to be slaughtered within some enclosure; adopted, and referred to committee on judiciary.

RESOLUTIONS.

Mr. Baker offered the following resolution:

Resolved, That the committee on printing be directed to report a bill fixing the compensation of publishers of newspapers, for publication of laws ordered to be published during the session of the Legislature.

Mr. Taylor offered the following resolution:

Resolved, That the committee on county and township organization be instructed to enquire into the expediency of abolishing the office of County Judge, and substituting a Board of Commissioners; also, to create a Judge of Probate, who shall also be Co. Auditor, and together with County Treasurer, manage and control the county school fund; and also, to require the clerk of the District Court to do the duties of Recorder, and also, of clerk of Board of County Commissioners; and further, that the township treasurers collect all taxes in their respective townships.

Which was adopted.

Mr. Beal offered the following resolution:

Resolved, That the committee on the judiciary be requested to report to this House, 1st: whether a legal recovery could be made in favor of the school fund, of the \$122,295 75 borrowed by the State of said fund, should the State refuse to pay the same. 2d: whether the relation of debtor and creditor exists in the premises. 3d: whether the said debt, or any portion thereof, is unconstitutional.

Which was adopted.

The following resolution, offered by Mr. Bennett, was taken up:

Resolved, That the committee on constitutional amendments be instructed to enquire into the expediency of reporting a law sub-

mitting a proposition to the people of Iowa, to amend the constitution, to-wit: by so amending section 4 of the bill of rights, as to prohibit negroes and mulattoes from giving evidence in courts of justice; and upon the adoption of which, the yeas and nays were demanded by Messrs. Bennett and Withrow, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Blackford, Campbell, Olaggett, Conner, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gurley, Hall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Le Lacheur, Macomber, Mangold, McCullough of Lee, Mitchell, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Withrow, Wright—49.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Davis of Johnson, Glasgow, Gue, Haskell, Hoag, Lynch, McCullough of Jackson, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Witter, Mr. Speaker—35.

Absent, or not voting—Messrs. Clark of Des Moines, and Williamson of Warren.

Resolution adopted.

Mr. Price, of Muscatine, offered the following resolution:

Resolved, That the committee on judiciary be requested to examine into the expediency of reporting a bill to this House, making all defalcations of officers, both county and State, a Penitentiary crime, and they be directed to report by bill or otherwise.

Which was adopted.

Mr. Robinson offered the following resolution:

Resolved, That the committee on agriculture be instructed to inquire into the expediency of reporting a bill punishing persons for driving stock out of their usual range, or permitting them to follow off stock that they are driving through the prairies, or on the public highways.

Which was adopted.

REPORTS OF COMMITTEES.

The committee on constitutional amendments reported as follows:

Your committee to whom was referred a resolution inquiring into the expediency of striking out section 10, article 5, of the Constitution, beg leave to report, that they have had the same under consideration, and recommend its indefinite postponement; which report was not concurred in; and on motion, the resolution was re-committed to same committee, with instructions to report by bill.

Message from the Senate.

MR. SPEAKER:—I am directed to inform your honorable body,

that the Senate has passed substitute for senate file number 28, "a bill for an act to attach the counties of Sioux and Buncombe to the county of Plymouth for revenue, judicial and election purposes, and providing for a transfer of the records, books and papers relating to said counties of Sioux and Buncombe, from the county of Woodbury to the county of Plymouth," in which the concurrence of the House is asked.

I also return to the House, house file number 12, a bill for an act entitled an act to repeal part of section 4, of chapter 148, of the laws of the 7th General Assembly, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

The judiciary committee, to whom was referred the resolution of the gentleman from Lee, (Mr. Olaggett,) instructing the committee to report "a bill prohibiting grantors in chattel mortgages from selling or disposing of said chattels, without the knowledge and consent of the mortgagee," have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage.

CALDWELL, Ch'm.

The judiciary committee, to whom was referred house file number 6, entitled "an act to repeal an act to authorize Paul C. Jeffries to transcribe and index certain records in Wapello county, which become a law January 21, A. D. 1857," have had the same under consideration, and have directed me to prepare and report a substitute therefor, which is herewith submitted, and the passage of the same recommended.

CALDWELL, Ch'm.

Which substitute was adopted, and read a first time.

The committee on claims, to whom was referred house file number 60, a bill for an act to pay Maj. Wm. Williams, and others, for services and supplies in the Spirit Lake expedition, A. D. 1857, have had the same under consideration, and have instructed me to report the same back to the House without amendment, and recommend its passage.

ED. WRIGHT, Chairman.

Which report was received.

The committee on claims, to whom was referred the memorial of D. P. Greely and T. B. Johnson, have had the same under consideration, and have bestowed upon it that deliberation and consideration which its importance is entitled to, and beg leave to report, that they do not, under the contracts made with said D. P. Greely and T. B. Johnson, consider that the State is under any obligation to pay any further sum to said claimants; but that said claimants must look to the counties in which said lands were selected, when organized, for the remainder of the consideration for their services.

ED. WRIGHT, Chairman.

Which report the House concurred in.

Mr. Cowing, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills beg leave to report, that they have examined house file number 66, an act to provide for the navigation of the Little Sioux River, and have found the same correctly engrossed.

The committee have also examined house file number 79, an act making appropriations for furniture and improvements in the Capitol building, and find the same correctly engrossed.

The committee on enrolled bills have presented to the Governor, for his signature, house file number 11, an act fixing the time of holding courts in the 11th judicial district.

J. W. DENNISON, Chairman.

The committee on enrolled bills have examined house file number 2, an act fixing the time of holding courts in the 4th judicial district, and find the same correctly enrolled.

J. W. DENNISON, Chairman.

The committee on new counties, to whom was re-committed the bill annexing certain unorganized counties to certain organized counties, have directed me to report the same to the House, amended as instructed by the House, and recommend its passage; which amendments the House concurred in.

The committee on agriculture, to whom was referred a resolution and bill for an act to determine the amount of toll of grist mills have had the same under consideration, and have directed me to report them back to the House, and recommend that they be indefinitely postponed.

B. F. GUE, Chairman.

Which recommendation was concurred in.

The committee on elections, to whom was referred house file number 62, annexed, beg leave to report, that they have fully considered the same, and unanimously recommend the indefinite postponement thereof.

R. CLARK, Chairman.

Which recommendation the House concurred in.

The committee on charitable institutions, to whom was referred the preamble and resolutions asking for certain information in reference to the Blind Asylum at Vinton, Benton county, Iowa, have instructed me to report the following resolutions, and recommend their adoption by the House:

Resolved, That that the Commissioners of said institution be directed to report—

1st. Before what magistrate they took and subscribed the oath required by the act creating them.

2d. By what supposed authority they proceeded to the partial erection of a building, the estimated cost of which exceeded the limit imposed by the law under which said Commissioners were appointed; and,

3d. To present to this House, the plans, estimates and contracts, upon which they have been proceeding, in the partial erection of said building.

4th. To report to this House the items of the amounts received as fees by said Commissioners, stated in the Auditor's report at \$1647.

5th. *Resolved*, That the Clerk of the House be directed to forward a copy of these resolutions, by mail, to each of said commissioners: *Provided*, The same cannot be personally served upon each one of them.

A. WITTER, Chairman.

The following amendment was offered by Mr. Baker:

Resolved, That said commissioners further report to whom the different contracts for materials and labor on said building were given, the prices allowed for said materials and labor, and whether any competition for said materials was asked for or allowed.

Adopted.

Upon the adoption of the resolution, the yeas and nays were demanded, which were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Goodrell, Gurley, Haskall, Hoag, Hunt, Macomber, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Withrow, Wright, and Mr. Speaker—43.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Glasgow, Gniffke, Gue, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, McCullough of Jackson, McCullough of Lee, Millard, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williamson of Louisa, Witter—42.

Absent, or not voting—Williamson of Warren.

Resolutions adopted.

The committee to whom was referred house file number 53, have had the same under consideration, and directed me to report the same back and recommend its passage.

A. WITTER, Chairman.

Which report was concurred in.

By permission: Mr. Bremner, from the special committee to whom was referred house file number 74, entitled an act for the relief of Marshall county, reported having had the same under consideration, and was directed to report it back and recommend its passage.

W. BREMNER, Chairman.

INTRODUCTION OF BILLS.

By Mr. Caldwell, chairman committee on judiciary, house file

number 80, a bill for an act to punish the makers of chattel mortgages, which was read a first time.

By Mr. Caldwell, chairman committee on judiciary, house file number 81, a bill for an act authorizing the District Court, or the Judge thereof, to change the venue in certain criminal prosecutions in certain cases, which was read a first time.

By Mr. Baker, house file number 82, a bill for an act fixing the time laws published in newspapers shall take effect, read first and second time, and referred to committee on judiciary.

By Mr. Claggett: house file number 83, a bill for an act to amend chapter 15 of the Code of Iowa, read first and second time, and referred to committee on judiciary.

By Mr. Taylor: house file number 84, a bill for an act to restrain the issue of County Bonds, read first and second time, and referred to committee on judiciary.

By Mr. Claggett: house file number 85, a bill for an act relating to the giving of testimony in courts of justice, read a first and second time and referred to committee on judiciary.

By Mr. Caldwell: house file number 86, a bill for an act to give greater security to vendees of mortgagees of real estate; which was read a first and second time, and referred to the committee on judiciary.

By Mr. Clark, of Johnson: house file number 87, a bill for an act to prevent larceny of personal property, taken by legal process; which was read first and second time, and referred to committee on judiciary.

By Mr. Crawford: house file number 88, a bill for an act to amend act number 11, of the Educational Laws of Iowa, entitled an act to confer certain powers on towns and cities, for school purposes; read first and second time, and referred to committee on schools and State University.

By Mr. Hedges: house file number 89, a bill for an act in relation to the Recorder's office, in Keokuk, in the county of Lee; which was read first and second time, and referred to a select committee, composed of the delegation from Lee county.

By Mr. Claggett: house file 90, a bill for an act requiring the Clerk of the District Courts to make a complete record of the proceedings in the courts of which they are clerks. Read first and second time, and referred to committee on judiciary.

COMMUNICATIONS ON THE SPEAKER'S TABLE.

OFFICE OF SECRETARY OF STATE OF IOWA, }
Des Moines, Jan. 21, 1860. }

HON. JOHN EDWARDS,

Speaker of the House of Representatives.

SIR:—In compliance with a preamble and resolution of the house, in relation to a detailed statement made to the Seventh

General Assembly, by the Auditor of State, I have the honor to inform the House of Representatives that said statement was delivered to the Secretary of State, which statement herewith accompanies this communication.

ELIJAH SELLS, Sec'y of State.

Which, on motion, was laid on the table.

OFFICE OF SECRETARY OF STATE OF IOWA, }
DES MOINES, Jan. 20, 1860. }

HON. JOHN EDWARDS,

Speaker of the House of Representatives :

SIR:—In compliance with the following resolution :

Resolved, That the Secretary of State be requested to inform the house how many copies of Hall's Geological Reports are now on hand, and how many, if any, have been sold ?

I have the honor to inform the House of Representatives, that no copies of Hall's Geology have been sold by me, and that there are six hundred copies in the possession of the State.

E. SELLS, Sec'y of State.

Which, on motion, was laid on the table.

A report from J. W. Cattell, Auditor of State, relative to a resolution adopted by the house, January 16, 1860, relating to the bills of Messrs. Traer, Jones and Gray, commissioners for the Blind Asylum, was read, and referred to committee on charitable institutions.

Also, a report from J. W. Cattell, Auditor of State, relative to the number of days occupied by the commissioners to examine State offices, &c., was read, and on motion, laid on the table.

House file number 1, as amended by the senate, was taken up, the amendments concurred in, and the bill read a third time ; and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Witter and Mr. Speaker—81.

The nays were—Mr. Cowing—1.

Absent, or not voting—Messrs. Merrill, Withrow, Williamson of Warren and Wright.

The bill was passed and title agreed to.

Mr. Baker moved that when this house adjourns, it adjourn till 9 o'clock to-morrow morning, which was carried; and on motion the house adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
January 24th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Waring.

Journal of yesterday read and approved.

PETITIONS.

Mr. Wright presented the petitions of citizens of Cedar and Johnson counties, relative to game laws; which were referred to the committee on agriculture.

Mr. Claggett presented the remonstrance of citizens of Lee county, against the passage of stay laws; which was referred to the select committee on appraisement.

RESOLUTIONS.

Mr. Lynch offered the following resolution:

Resolved, That the judicial committee be instructed to enquire into the expediency of introducing a bill offering a reward to all persons who shall inform on any person unlawfully setting fire to our prairies, by which damage is done.

Which was referred to committee on judiciary.

Mr. Curtis offered the following resolution:

Resolved, That the committee on ways and means, be requested to mature whatever appropriation bills they may deem proper for the consideration of this house, at as early a day in this session as possible.

Which was adopted.

Mr. Davis, of Jefferson, offered the following resolution:

Resolved, That that the committee on schools and State University, be requested to enquire into the expediency of amending the school law, in such a manner that each sub-district shall have

full control of its financial affairs, and to report by bill or otherwise.

Which was adopted.

Mr. Goodrell offered the following resolution :

Resolved, That the Governor's message be taken from the table and made the special order of the day in committee of the whole for to-morrow morning at ten o'clock.

Which resolution was adopted.

Mr. Davis, of Johnson, offered the following resolution :

Resolved, That the committee on roads and highways, be instructed to enquire into the expediency of making it the duty of Supervisors to place guide boards at the forks of all public roads in their districts, and that they be furnished with money for the same, from the township treasury, and also providing for a fine against all persons injuring or tearing down said guide boards.

Which resolution was adopted.

Mr. Baker offered the following resolution :

Resolved, That Reed of Jackson, and Parker of Clinton, be added to committee on county and township organization.

Which resolution was adopted.

REPORTS OF COMMITTEES.

The committee to whom was referred house file number 14, an act to amend chapter 62, of the Laws of the Seventh General Assembly ; also house file number 50, an act allowing a bounty for killing blackbirds, have had the same under consideration, and instruct me to report a substitute, and recommend its passage.

P. ROBB, Ch'm.

On motion of Mr. Olaggett, the substitute was re-committed, with instructions to obviate constitutional objections.

The following committee, to whom was referred house file number 86, an act to give greater security to vendees and mortgagees of real estate, have had the same under consideration, and have directed me to report the same back, with a recommendation that it do not pass.

CALDWELL, Ch'm.

Which recommendation was concurred in.

The judiciary committee, to whom was referred house file number 85, an act relating to the giving of testimony in courts of justice, have had the same under consideration, and have instructed me to report the same back, and recommend that it do not pass. The committee are of opinion that the present laws cover the case, and that no further legislation is necessary on the subject matter of the bill.

CALDWELL, Ch'm.

Which recommendation was concurred in.

The judiciary committee, to whom was referred house file num-

ber 82, have had the same under consideration, and have directed me to report the same back, with a recommendation that it do not pass. In the opinion of the committee, it is inexpedient to change the present law. CALDWELL, Ch'm.

Which recommendation was concurred in.

Mr. Caldwell, from committee on judiciary, returned the petition of citizens of Louisa county, concerning the slaughtering of stock, and reported having considered the petition, and that he was instructed to report that no legislation was necessary on the subject, and that leave be given to withdraw the petition; which was not concurred in, and the petition referred back, with instruction to report by bill.

Mr. Millard, by leave, offered the following resolution:

Resolved, That Leroy Lambert be added to the committee on ways and means. Which was adopted.

MR. SPEAKER:—Your committee to whom was referred house file number 13, an act to amend chapter 157 of the laws of the 7th General Assembly, report, that they have had the same under consideration, and report the same back to the House without amendment, and recommend its passage.

RUDDICK, Ch'm.

MR. SPEAKER:—Your committee to whom was referred the petition of G. W. Sevalley, and another, asking that a portion of the town plat of the town of Waverly be vacated, report, that they have had the same under consideration, and have instructed me to report that the prayer of the same cannot be granted by this House, as it contravenes the Constitution.

RUDDICK, Ch'm.

Which report the House concurred in.

The committee on enrolled bills beg leave to report, that they have examined house file number 12, a bill for an act entitled an act to repeal part of section 4, of chapter 148, of the laws of the 7th General Assembly, and find the same correctly enrolled

DENNISON, Ch'm.

The committee on the Des Moines River Improvement, to whom was referred house file number 57, a bill to repeal part of section 6, of chapter 93, of acts of 7th General Assembly, have had the same under consideration, and I am directed to report back a substitute for the same, and ask its passage.

J. C. MITCHELL.

Which report was concurred in.

The committee on federal relations, to whom was referred a joint memorial to Congress, for a grant of land to aid in constructing a railroad from Council Bluffs, by way of the Boyer River railroad in Iowa, to the railroads in Wisconsin, respectfully report that they have had the same under consideration, and recommend its adoption.

BEREMAN, Ch'm.

Which was read first time.

The committee to whom was referred the joint resolution in relation to a homestead law, report, that they have had the same under consideration, and have instructed me to report a substitute, house file number 92, and recommend its passage; which was read first and second time, and ordered to be engrossed.

MR. SPEAKER:—Your committee on public lands, to whom was referred a joint resolution instructing the Governor to withhold all further certificates of lands from R. R. companies in this State, in certain contingencies, beg leave to report, that they have had the same under consideration, and respectfully recommend the adoption of the resolution.

D. D. SABIN, Chairman.

The committee on printing, to whom was referred house file number 73, report that they have had the same under consideration, and report the same back without amendment, and recommend its passage.

BEREMAN, Chairman.

The committee on printing, to whom was referred a resolution requesting them to examine into the expediency of having all laws relating to the duties of township officers published in a separate volume, would report, that they have had the same under consideration, and have instructed me to prepare the accompanying joint resolution, house file number 93, and recommend its passage.

BEREMAN, Chairman.

The committee on internal improvements, having under consideration house file number 34, a bill exempting certain lands from taxation, have instructed me to report the following substitute.

S. MERRILL, for committee.

Which was read, and ordered to be engrossed.

The following communication was reported on Speaker's desk:

A report from the Secretary of State, relative to criminal prosecutions in the State, for the years 1858 and 1859; which, on motion of Mr. Clark, of Des Moines, was laid on table.

House file number 80, a bill for an act to punish the makers of chattel mortgages, in certain cases, was taken up, read a second time, the rule suspended and read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Olaggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton,

Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—81.

The nays were—Mr. Bereman—1.

Absent, or not voting—Messrs. Davis of Johnson, McCullough of Lee, Riddle, Shipman and Wright.

The bill was passed, and the title was agreed to.

BILLS ON SECOND READING.

The substitute for house file number 6, was read a second time, and ordered to be engrossed.

House file number 81, a bill for an act to authorize the district court, or the judge thereof, to change the venue in certain criminal prosecutions, in certain cases, was read a second time, and ordered engrossed and read a third time on to-morrow.

The following message was received from the Senate:

MR. SPEAKER:—I am directed by the Senate to inform your honorable body, that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Resolved, By the Senate, (the House of Representatives concurring,) That the Senate will meet the House in joint convention, at 11 o'clock, A. M., this day, in the Hall of the House, for the purpose of electing a State Printer and State Binder, for the official terms commencing at the expiration of the terms of the present incumbents.

J. H. SANDERS, Sec'y of Senate.

Mr. Claggett introduced, by leave, a resolution inquiring of the Governor as to a requisition of the Governor of Virginia for a citizen of this State; whether such requisition had been complied with, and if not, the reason of such non-compliance.

The Chair decided that the resolution should be laid over, under the rule.

Mr. Bennett moved to suspend the rule, and its immediate adoption, and on this question the yeas and nays were demanded by Messrs. Beal and Bennett, and ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Caldwell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Lambert, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren, Wright, Mr. Speaker—38.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Hoag, Hunt, Lynch, Macomber, Mangold, McQuinn, Millard,

Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter—49.

Absent, or not voting—Mr. Campbell.

Motion lost.

Mr. Goodrell moved to take up the message from the Senate.

Mr. Baker moved to amend the resolution of the Senate by striking out 11 o'clock to-day, and inserting one month from to-day.

Mr. Wright moved to amend the amendment by striking out one month, and inserting to-morrow at 11 o'clock.

Mr. Bennett moved to adjourn, upon which the yeas and nays were demanded by himself and Mr. Beal, were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Campbell, Clark of Des Moines, Olaggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, Lynch, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Taylor, Whitaker, Williams, Williamson of Warren—36.

The nays were—Messrs. Bereman, Bowdoin, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—50.

The motion was lost.

Mr. Rosenkrans moved the previous question, which was seconded; and upon the question, shall the main question be now put, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker—48.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Blackford, Campbell, Clark of Des Moines, Olaggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees,

Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—37.

Absent or not voting—Wright.

The motion prevailed.

The question recurred upon the motion as amended by Mr. Wright, of Cedar, which was adopted.

The resolution as amended was then adopted.

On motion of Mr. Curtis, the House adjourned.

HALL OF REPRESENTATIVES,
January 25th, 1860. }

House met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Baker presented a proposition for State Printing from Stilson Hutchins, being as follows :

Stilson Hutchins, of the county of Polk and city of Des Moines, proposes to do any and all printing that may be ordered by the State, or its agents, for the term of two years next succeeding the expiration of the existing contract between the State and John Teesdale, in a good and workmanlike manner, and within the time prescribed, at rates forty per cent below the prices at present provided by law, and for the faithful performance of such proposition, offer as sureties the names hereto attached.

Des Moines, Jan. 23d, 1860.

STILSON HUTCHINS.

The undersigned residents of the city of Des Moines, Polk county, Iowa, are firmly held and bound in the penal sum of _____ dollars, as sureties for the faithful execution of the above proposition, if accepted by the State.

T R. WEST,
M. M. CROOKER,
C. C. COLE,
THOMAS CAVANAGH,
R. L. TIDRICK,
R. W. SYPHER,
WESLEY REDHEAD,
I. W. GRIFFITH.

Which was referred to committee on printing.

PETITIONS.

Mr. Ruddick presented a petition from citizens of Bremer

county, asking that townships may be authorized to levy taxes to build bridges, which was read and referred to committee on roads and highways.

Mr. Davis, of Johnson, presented the petition of citizens of Johnson county, asking a repeal of chapter 147, of the session laws of 1858, which was referred to committee on agriculture.

Mr. Goodrell presented the petition of John Bryan, asking compensation for certain labor performed on the Capitol building. Referred to committee on claims.

Mr. Wright presented petition from citizens of Cedar county, asking the abolition of the office of County Judge, which was referred to committee on township and county organization.

Mr. Rosenkrans presented a petition of J. J. Wadsworth, and 75 others, citizens of Hamilton county, asking the organization of a Board of Supervisors, and a Court of Quarter Sessions, which was read and leave given Mr. Rosenkrans to withdraw the same, for the purpose of presenting it to the Senate.

Mr. Peet presented the petition of Jacob Harsch and others, relative to the organization of independent fire companies, which was referred to committee on incorporations.

RESOLUTIONS.

Mr. Bracewell offered the following resolution :

Resolved, That the committee on ways and means be instructed to enquire into the propriety of a more efficient law for the collection of delinquent taxes, and to give greater inducements for persons to purchase lands offered for sale for delinquent taxes, and report by bill or otherwise. Which was adopted.

Mr. Kellogg offered a resolution relating to State printing, which Mr. Wright moved to lay on the table. Mr. Kellogg demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—50.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—36.

Motion adopted and the resolution laid on the table.

Message from the Senate, by their Secretary, Mr. Sanders:

MR. SPEAKER:—I am directed to inform the House, that the Senate has passed house file number 33, a bill for an act relating to the organization of new counties, with an amendment, in which the concurrence of the House is asked.

Also, that the Senate has passed house substitute for house file number 52, with amendments, in which the concurrence of the House is asked.

J. H. SANDERS, Secretary.

Mr. Bennett offered a concurrent resolution in relation to State printing, which Mr. Wright moved to lay on the table, and upon which the yeas and nays were demanded by Messrs. Kellogg and Jennings, were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—51.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—35.

Motion prevailed.

The hour for the special order having arrived, the House went into committee of the whole, in order to refer the Governor's Message.

Mr. Goodrell in the Chair.

The committee rose and reported to the House that proper reference had been made of the various subjects embraced in the Governor's Message to the appropriate committees; which was received.

Mr. Goodrell moved to amend report of the committee in reference to that part of the Message relating to the Capitol Building, by its being referred to a special committee of five, which was carried.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has amended the amendment made by the House to the concurrent resolution in relation to a Joint Convention for the purpose of electing a State Printer and Binder, by striking out 11 A. M., and inserting 3 P. M., of this day.

In which the concurrence of the House is asked.

J. H. SANDERS, Secretary.

Mr. Curtis moved that the House now adjourn.

Mr. Gurley moved the previous question, when Mr. Bennett moved a call of the House, which resulted as follows:

All members present except Mr. Kellogg.

Mr. Claggett moved that the absentee be sent for, carried; and the Sergeant-at-Arms ordered to bring in Mr. Kellogg.

Mr. Withrow moved to suspend further proceedings under the call, pending which Mr. Kellogg returned to his seat.

Mr. Goodrell moved that the Message from the Senate be taken up and concurred in.

Mr. Bennett moved the House adjourn, upon which Mr. Bennett demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Conner, Curtis, Doggett, Dunlavey, Ellis Hall, Harris, Hedges, McCullough of Jackson, McCullough of Lee, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Taylor, Williams, Williamson of Warren—26.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Rosencrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—60.

Motion lost.

Mr. Gurley called for the previous question.

Mr. Baker demanded the yeas and nays which were ordered, pending the call of which Mr. Bennett asked to be excused from voting, which the House did not grant.

The yeas and nays were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosencrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker.—50.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle,

Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—36.

The demand for the previous question was sustained.

The question then recurred, shall the main question be put, Mr. Baker called for the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—53.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Daggett, Dunlavey, Edwards, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCollough of Jackson, McCollough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—36.

Motion adopted.

Then the question was on concurring in the resolution of the Senate, Mr. Baker demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—52.

The nays were—Messrs. Baker, Beal, Bracewell, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—34.

Motion prevailed.

Mr. Bennett moved to reconsider the vote just taken.

Mr. Wright moved to lay the motion to reconsider on the table, upon which Mr. Bennett demanded the yeas and nays, which were ordered.

Pending which Mr. Bennett rose to a point of order, viz: that the motion to reconsider was not in order.

The Chair decided the question in order.

Mr. Bennett appealed from the decision of the Chair, and called for the yeas and nays; pending which the result of the last vote was announced by the Chair, and was as follows.

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisiana, Withrow, Witter, Wright and Mr. Speaker—50.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Olaggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—36.

Motion prevailed.

Mr. Rosenkrans moved that the House take a recess of half an hour, which was carried.

15 MINUTES TO 3 O'CLOCK, P. M.

House was called to order.

Mr. Wright moved that a committee of two be appointed to inform the Senate that the House is now ready to meet them in Joint Convention for the purpose of electing a State Printer and Binder. Carried.

The Chair appointed Messrs. Wright and Beal that committee.

Mr. Beal declined acting on said committee. The Chair excused Mr. Beal, and appointed Mr. Sabin in his place,

On motion, the Chair appointed Mr. Gurley teller on the part of the House.

The committee appointed to wait upon the Senate reported having performed that duty.

In a few minutes the Senate, preceded by their President, Sergeant-at-Arms and Secretary entered the Hall of the House, after being duly announced, and took the seats assigned them.

The President of the Senate acting as President of the Joint Convention, and the Chief Clerk of the House as Secretary.

The President announced the object of the meeting of the Joint Convention to be the election of a State Printer and Binder.

The President appointed A. Saunders teller on the part of the Senate.

The Secretary was directed to call the roll, whereupon the following named gentlemen were found to be absent: Messrs. Bus-

sey, Bracewell, Campbell, Dunlavey, Gniffke, Hotchkiss, Jennings, Johnson, Jones, LeLacheur, McCullough, of Lee, Peet, Price of Lee, Rees, Riddle, Williams and Williamson of Warren.

On motion of Mr. Bowen, the absentees were excused.

The President announced that the joint convention would now proceed to the election of a State Printer, and that nominations were in order.

Mr. Drummond nominated F. W. Palmer, of Dubuque.

Mr. Baker nominated S. Hutchins, of Des Moines.

The convention proceeded to vote, when it appeared that Francis W. Palmer had received seventy-three votes, and S. Hutchins thirty-six votes.

Francis W. Palmer having received a majority of all the votes cast, was declared duly elected State Printer for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Those gentlemen voting for Francis W. Palmer, were—Messrs. Anderson, Angle, Barnes, Bemis, Bereman, Blackford, Bowen, Bowdoin, Bremer, Brown, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Clinton, Davis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Gillett, Glasgow, Goodrell, Gue, Gurley, Hagans, Haskell, Hoag, Hastings, Henderson, Hunt, Kent, Lambert, Lewis, Lynch, Macomber, Mangold, McPherson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Rankin, Reiner, Rosenkrans, Ruddick, Sabin, Saunders, Shipman, Sherradden, Stanton, Scott, Streeter, Thompson, Tompkins, Watson, Williamson of Louisa, Wilson of Jefferson, Withrow, Witter, Wright, Mr. Speaker—73.

Those voting for Mr. Hutchins, were—Messrs. Ainsworth, Baker, Bailey, Beal, Bennett, Bracewell, Buechel, Campbell, Clark of Des Moines, Claggett, Conner, Coolbaugh, Curtis, Doggett, English, Ellis, Gray, Green, Hall, Hammer, Johnson, Jones, Mann, McCullough of Jackson, Neal, Paulk, Pusey, Patterson of Muscatine, Reed, Robinson, Robb, Stevens, Taylor of Jones, Trumbull, Williams of Mahaska, Wilson of Dubuque—36.

The President announced that the Joint Convention would now proceed to the election of a State Binder, and that nominations were now in order.

Mr. Davis of Polk, nominated F. M. Mills of Polk county.

Mr. Baker nominated Mr. Lee of Iowa City.

The Convention then proceeded to vote, when it appeared that F. M. Mills had received seventy three (73) votes, and Mr. Lee thirty six (36) votes.

F. M. Mills having received a majority of all the votes cast, was declared duly elected State Binder for the term of two years, from and after the expiration of his present term and until his successor is elected and qualified.

Those gentlemen voting for F. M. Mills were—Messrs. Anderson, Angle, Barnes, Bemis, Bereman, Blackford, Bowen, Bowdoin, Bremner, Brown, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Clinton, Davis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Edwards, Gillett, Glasgow, Goodrell, Gue, Hagans, Haskell, Hoag, Hastings, Henderson, Hunt, Kent, Lambert, Lewis, Lynch, Macomber, Mangold, McPherson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Rankin, Reiner, Rosenkrans, Rudick, Sabin, Saunders, Shipman, Sherradden, Stanton, Scott, Street-er, Thompson, Tompkins, Watson, Williamson of Louisa, Wilson of Jefferson, Withrow, Witter, Wright—73.

Those gentlemen voting for Mr. Lee were—Messrs. Ainsworth, Baker, Beal, Bennett, Bracewell, Bussey, Buechel, Campbell, Clark of Des Moines, Claggett, Conner, Coolbaugh, Curtis, Doggett, Duncombe, English, Ellis, Gray, Green, Hall, Hammer, Jones, Kellogg, Mann, McCullough of Jackson, Neal, Paulk, Patterson of Muscatine, Reed, Robinson, Robb, Stevens, Taylor of Jones, Trumbull, Williams of Mahaska, Williamson of Warren, Wilson of Dubuque—36.

The following certificates were then signed by the President of the Senate and Speaker of the House of Representatives, and attested by the tellers, in the presence of the Joint Convention.

REPRESENTATIVES' HALL, }
Des Moines, Iowa, January 25, 1860. }

This will certify, That, at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Wednesday, the 25th day of January, A. D. 1860, for the purpose of electing a State Printer, Francis W. Palmer, having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the expiration of the term of the present incumbent, or until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of the Joint Convention.

JOHN EDWARDS,
Speaker of the House of Representatives.

Attest: A. SAUNDERS, Teller for the Senate.

W. H. F. GURLEY, Teller for the House.

REPRESENTATIVES' HALL, }
Des Moines, Iowa, January 25, 1860. }

This will certify, That, at an election by the Senate and House

of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Wednesday, the 25th day of January, A. D. 1860, for the purpose of electing a State Binder, Frank M. Mills, having received a majority of all the votes cast for said office, was declared duly elected State Binder, for the term of two years, from and after the expiration of the term of the present incumbent, or until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of the Joint Convention.

JOHN EDWARDS,
Speaker of the House of Representatives.

Attest: A. SAUNDERS, Teller for the Senate.

W. H. F. GURLEY, Teller for the House.

The President announced that the object for which the Joint Convention had met, had now been accomplished; whereupon, on motion of Mr. Wright, the Joint Convention dissolved.

The Senate having retired to their chamber, the House was called to order, when, on motion of Mr. Bowdoin, it was resolved, that when this House adjourns it adjourn till 9 o'clock to-morrow morning.

On motion of Mr. Streeter, the House adjourned.

HALL OF REPRESENTATIVES, }
January 26, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read, and Mr. Baker moved that that part of the journal relative to a recess at $\frac{1}{4}$ past 2 o'clock, P. M., be corrected so as to read, "Mr. Rees moved that the House adjourn, which motion was seconded by Mr. Kellogg, and carried," and to strike out all after that for the day.

Mr. Shipman moved to lay the motion of Mr. Baker on the table; upon which motion Messrs. Peet and Baker demanded the yeas and nays.

Mr. Clark, of Des Moines, moved a call of the House, which was seconded.

Messrs. Campbell and Paulk were absent and were excused.

Mr. Wright moved that further proceedings, under the call of the House be suspended, which was carried.

Mr. Bennett asked to be excused from voting; which request he afterwards withdrew.

The question being upon the motion to lay on the table, the yeas and nays were as follows:

The yeas were—Messrs. Bowdoin, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Witter and Mr. Speaker—41.

The nays were—Messrs. Baker, Beal, Bereman, Barnes, Bracewell, Bennett, Blackford, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Rosenkrans, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Wright—45.

Motion lost.

The question then being upon the motion of Mr. Baker to correct the journal, Mr. Baker demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren—34.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Haskell, Hoag, Hunt, Lambert, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—48.

Absent, or not voting—Messrs. Gue and Lynch. Excused—Messrs. McCullough of Lee and Taylor.

Motion lost.

The following protest was entered by Mr. Baker, and others:

The undersigned, members of the House of Representatives of the State of Iowa, protest against the proceedings placed upon the journal of the House, of January 25th, 1860, after the words "Mr.

Rosenkrans moved that the House take a recess of half an hour," and for these reasons :

1st. Immediately after said motion for a recess, Mr. Rees made a motion to adjourn, which was seconded, put and carried, and the gentleman then occupying the chair, declared the House adjourned.

2d. This adjournment took place after 2 o'clock in the afternoon.

3d. A Rule of the House reads as follows : "The hours to which this House shall stand adjourned from day to day, shall be 10 o'clock, A. M., and 2 o'clock, P. M., unless otherwise ordered by the House."

4. A vote merely "to adjourn," made after 2 o'clock, P. M., was an adjournment to 10 o'clock next morning, under said rule.

For these reasons, we believe that all the proceedings recorded after said motion to take a recess, made by Mr. Rosenkrans, are illegal, contrary to our rules and the Constitution of this State.

We protested in the House, and in the Joint Convention yesterday, against all the proceedings above referred to, and which took place in this Hall after the said motion to take a recess, and we now ask, that these, our reasons for this protest, and the protest, be placed upon the journal of the House.

And we further protest against all proceedings on the morning of the 26th, between the hours of 9, A. M., and 10 o'clock P. M.

N. B. BAKER,	M. W. ROBINSON,
J. O. CURTIS,	H. DUNLAVEY,
N. B. BENNETT,	E. S. McCULLOCH,
S. R. PEET,	JOHN M. WHITAKER,
J. E. WILKINSON,	C. PAULK,
THOS. W. CLAGGETT,	T. D. JONES,
JOHN D. JENNINGS,	J. S. DOGGETT,
F. J. GNIFFKE,	R. F. CONNER,
JAMES H. WILLIAMS,	HEROULES CAMPBELL,
H. BRACEWELL,	G. P. ELLIS,
R. D. KELLOGG,	SAM'L REES,
J. W. LELACHEUR,	PATRICK ROBB,
CORNELIUS BEAL,	D. M. HARRIS,
N. G. HEDGES,	P. B. McCULLOUGH,
WM. H. REED,	J. C. HALL,
	JUSTUS CLARK.

ENROLLED BILLS.

The committee on enrolled bills, have presented to the Governor, for his signature, house file number 12, an act entitled an act to repeal part of section 4, of chapter 148, of the laws of the seventh General Assembly.

J. W. DENNISON, Chairman.

January 25, 1860.

The committee on enrolled bills, to whom were referred house

file number 1, a bill for an act fixing the terms of court in the Sixth Judicial District, beg leave to report that they have examined the same, and find it correctly enrolled.

J. W. DENNISON, }
J. E. WILLIAMSON, } Committee.

PETITIONS.

Mr. Claggett presented a petition from citizens of Lee county, asking for a law to compel Railroad Companies to fence their roads; which was referred to committee on railroads.

Mr. Hall presented the petition of L. B. Pierce, and 28 other teachers, relative to the School Law; was read, and referred to the committee on Schools and State University.

RESOLUTIONS.

Mr. Taylor offered the following resolution :

Resolved, That the committee on ways and means, to whom was referred the bill to reduce the interest on delinquent taxes, be instructed to report the bill back to this house at as early a day as possible.

Mr. Sabin offered the following amendment :

That the committee shall provide in the same bill, for some means, insuring the more speedy collection of taxes, and also that interest on warrants and taxes, shall be the same.

Mr. Peet offered to amend the amendment as follows :

And to so provide that every tax-payer shall have the privilege of paying their State, school, county, and road taxes, separately.

Mr. Clark, of Johnson, offered a substitute for the whole, as follows :

Resolved, That the committee on ways and means be directed to report at an early day, a bill relinquishing interest on all taxes now due and which may be paid before January 1st, 1861; and reducing the interest from present rates on taxes delinquent after January 1st, 1861; also providing for the immediate taking effect of such law.

The amendment, amendments to the amendment, and substitute were lost, and the original resolution was adopted.

The speaker announced the following special committee on that part of the Governor's message relative to Dr. Eads: Messrs. Hall, Caldwell, Jennings, Clark, of Johnson, and Williamson of Warren.

Mr. Paulk offered the following resolution :

Resolved, That the bill to amend section 16, of chapter 158, of the acts of the Seventh General Assembly, be transferred from the committee on schools, to the committee on ways and means, with instructions to report at as early a day as possible.

Which resolution was adopted.

Mr. Price, of Muscatine, offered the following resolution :

Resolved, That the committee on ways and means be instructed to enquire into the expediency of striking off the tax list, all lands occupied by roads and highways, and report by bill or otherwise.

Which resolution was adopted.

Mr. McCullough offered the following resolution :

Resolved, That all fences, consisting of posts and rails, timber, boards, brick or stone walls, shall be esteemed lawful, if four feet two inches high, and all other fences shall be lawful, if four feet six inches high, measuring from the level or surface of the earth, and close strong and sufficient to prevent horses and cattle from going through or under the same, and all fences set in the partition between persons, either of whom improve their adjoining lands, shall be so close, strong and sufficient, as to prevent sheep from going under or through the same ; and all ditches and drains made in or through marshes and meadows, for fencing and draining the same, being five feet wide and three feet deep, shall also be esteemed and adjudged lawful fences ; and all brooks, rivers, ponds, creeks and hedges, or other matter or thing equivalent to such fence, as aforesaid, may be adjudged lawful fences, at the discretion of those who may be called upon to view the same.

Which was referred to the committee on agriculture.

Mr. Mangold offered the following resolution :

Resolved, That the Secretary of State be directed to furnish each member of this house with a knife and pen.

Mr. Curtis offered the following amendment to the resolution :

Provided, That the knives so furnished shall be Barlow knives, and the pens, steel pens.

Mr. Cowing moved to lay the resolution and amendment on the table ; which was carried.

Mr. Goodrell offered the following resolution :

Resolved, By the house, (the senate concurring,) That a joint committee, to consist of — members on the part of the Senate, and of two members on the part of the house, be appointed, which shall proceed immediately to the Penitentiary at Fort Madison, and examine as to the condition of said institution ; the manner in which previous appropriations have been expended, and the amount necessary to complete the work already commenced, and any other matter they may think necessary to examine ; and that said committee be authorized to send for persons and papers, and examine witnesses under oath, and make a report to this house at the earliest possible day.

Mr. Claggett offered the following substitute :

Resolved, (The senate concurring,) That a committee be appointed to investigate the affairs of the Lunatic Asylum, and also another committee to investigate and report on the condition of the State Penitentiary, and that said committees to be appointed

under this resolution, be empowered to send for such persons and papers as may be necessary for a full and complete investigation, and report upon the condition of both institutions.

Pending which, Mr. Curtis moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Baker offered the following resolution as a substitute:

Resolved, (The senate concurring,) That a special committee of three from the house, and two from the senate, be appointed to investigate all matters and expenditures, all contracts for materials, buildings, &c.; and all matters connected with the management of the Iowa State Penitentiary; that said committee be empowered to send for persons and papers, and in case said committee shall deem it necessary, for a full understanding of the case, they are hereby authorized to visit said institution, and report thereon to this General Assembly.

Mr. Paulk offered the following amendment to the substitute, to which Mr. Baker accepted:

Provided, That no member of that committee, who is a member of the General Assembly, shall be allowed per diem compensation as member of the Assembly and of said committee, for the same time.

Which substitute, as amended, was adopted.

The following message was received from the Senate, by their Secretary, Mr. Sanders:

MR. SPEAKER:—I am directed by the Senate to inform the House, that the Senate has passed House File No. 17, a bill for an act fixing the times of holding courts in the Seventh Judicial District, with sundry amendments, in which the concurrence of the House is asked.

The amendments to which bill were concurred in; and, upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Connor, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLachur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin,

Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—81.

The nays were—None.

Absent or not voting—Messrs. Campbell, Doggett, Gniffke, Price of Muscatine and Taylor.

The bill passed, and the title was agreed to.

House file number 79, was, on motion of Mr. Wright, read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Bereman, Bowdoin, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Hoag, Hunt, Lambert, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Lee, Price of Muscatine, Quinn, Rees, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—59.

The nays were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, Lynch, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Reed, Robinson, Stevens, Williamson of Warren—29.

The bill passed, and the title was agreed to.

House file number 52, a bill for an act to change the time of holding courts in the eighth judicial district, was taken up.

On motion of Mr. Clark, of Johnson, the amendments made by the Senate were concurred in, and the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremer, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—86.

The nays were—None.

The bill was passed, and the title was agreed to.

Mr. Gurley moved that Mr. Jennings be added to the committee on ways and means. Carried.

Mr. Gue offered the following resolution:

Resolved, That the use of this Hall be granted to Dr. Rouch, on Friday evening, for the purpose of delivering a lecture on agricultural and scientific matters.

Which was adopted.

Mr. Jennings offered the following resolution:

Resolved, That the Secretary of State be directed to furnish each member of this House four copies of "Hall's Geological Report," and one copy of the "Constitutional Debates," for the purpose of distribution, and one copy of each work for each officer of the House.

Which was adopted.

On motion of Mr. Noble, Messrs. Clark of Johnson, and Curtis were added to committee on constitutional amendments.

The committee on enrolled bills beg leave to report, that they have presented to the Governor, for his signature, house file number 1, a bill for an act fixing the time of holding courts in the 6th judicial district.

J. W. DENNISON, Ch'm.

The committee to whom was re-committed the substitute for house file number 14 and house file number 51, have again had the same under consideration, and have instructed me to report the same back to the House with the following amendments, and recommend its passage: strike out section 4, and strike out "one dollar and fifty cents," where it occurs, and insert "one dollar."

P. ROBB, Chairman.

The committee on engrossed bills beg leave to report that they have examined the following bills, and have found the same correctly engrossed:

House file number 73, an act repealing chapter 151 of the acts of the 7th General Assembly of the State of Iowa, entitled an act providing for the publication of certain laws in the several counties of the State.

House file number 6, a bill for an act to repeal an act entitled an act to authorize Paul C. Jeffries to transcribe and index certain records of Wapello county.

House file number 98, joint resolution number 1, instructing the Governor to withhold all further certificates for land from the railroad companies in the State, in certain contingencies.

House file number 74, an act for the relief of Marshall county.

House file number 86, an act to give greater security to venders and mortgagees of real estate.

House file number 82, an act fixing the time when laws published in the newspapers shall take effect.

House file number 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum.

House file number 81, an act authorizing the district courts, or the judges thereof, to change the venue in criminal prosecutions, in certain cases.

House file number 85, an act relating to the giving of testimony in courts of justice.

House file number 92, joint memorial requesting our Senators and Representatives in Congress to secure the passage of a home-stead law.

Substitute for house file number 57, a bill for an act to repeal part of section 6, chapter 96, of the acts of the Seventh General Assembly.

House file number 97, an act to repeal part of section 2705, chap. 145, of the Code.

A. M. COWING, Chairman.

Mr. Baker moved that when this House adjourns, it adjourn till 9 o'clock to-morrow morning; carried, and on motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, January 27th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

The committee on ways and means, in accordance with the resolution of this House, have directed me to report bill number 22, house file, back to the House without recommendation.

GURLEY, Chairman.

The committee on ways and means, to whom was referred a resolution instructing them to inquire into the expediency of requiring that lands be assessed in their smallest legal sub-divisions, and to commence the assessment at the north-east corner of each municipal township, and to continue the assessment of each section in their municipal order, have had the same under consideration, and have directed me to report that, in the opinion of the committee, such legislation would be inexpedient.

GURLEY, Chairman.

Which was concurred in.

The judiciary committee, to whom was referred a resolution instructing the committee to inquire into the expediency of requiring commissioners appointed to lay out roads to be sworn, have had the same under consideration. The committee find the present law is defective, in not requiring such commissioners to be sworn, and have instructed me to report the accompanying bill, and recommend its passage.

CALDWELL, Ch'm.

Which was concurred in.

The judiciary committee, to whom was referred a resolution instructing the committee to inquire into the expediency of reporting a bill offering a reward for the discovery of any person who wilfully sets fire to prairie, have had the same under consideration, and have instructed me to report that it is inexpedient to pass a law such as is contemplated by the resolution.

CALDWELL, Ch'm.

Which was concurred in.

The judiciary committee, to whom was referred house file number 28, an act to legalize the acts of George S. C. Dow, as Notary Public, in Scott county, Iowa, have had the same under consideration, and have directed me to report the same back, and recommend its passage.

CALDWELL, Ch'm.

The judiciary committee, to whom was referred a resolution instructing them to inquire into the expediency of making all defalcations of public officers a Penitentiary crime, have had the same under consideration, and are of the opinion the law now is what the resolution proposes to make it, and that no further legislation is necessary.

CALDWELL, Ch'm.

Which was concurred in.

The judiciary committee, to whom was referred house file number 95, "a bill to repeal an act entitled an act to amend chapter 83 of the Code, approved Jan. 24, 1853," have had the same under consideration, and have instructed me to report the same back, with a recommendation that it do not pass.

The committee are of opinion that the present law, on the subject matter of the bill (widow's dower) should not be changed.

H. O. CALDWELL, Chairman.

Mr. Baker moved to lay this report on the table. Which was adopted.

The judiciary committee, to whom was referred a resolution, instructing the committee to enquire whether further legislation is necessary to prevent trespass on, and the destruction of timber, have had the same under consideration, and have instructed me to report that no further legislation on the subject matter of the resolution is necessary.

CALDWELL, Chairman.

Which report was concurred in.

The judiciary committee, to whom was referred a resolution, in-

structing the committee to enquire into the expediency of reporting a bill providing that all property, real and personal, sold on credit, should be subject to sale on execution for the purchase money, so long as the same is owned by the vender, have had the same under consideration. As to real estate, the law now is, what the resolution proposes to make it, and I am instructed to report that legislation on the subject matter of the resolution, so far as it refers to personal property is inexpedient.

H. C. CALDWELL, Chairman.

Which report was concurred in.

The judiciary committee, to whom was referred the petition of D. H. Herrick and others, praying for the passage of a law requiring all stock to be slaughtered within some enclosure, with instructions to report a bill in accordance with the prayer of said petition, have complied with their instructions, and herewith report a bill for the consideration of the House.

H. C. CALDWELL, Chairman.

Mr. Caldwell, from committee on judiciary, returned a resolution relative to exempting certain lands, &c., from taxation, and recommend its reference to committee on ways and means; which was concurred in.

By Mr. Curtis: the judiciary committee, to whom was referred "house file number 84, a bill for an act to restrain and prevent the issue of county bonds," have had the same under consideration, and have instructed me to report a substitute therefor, and recommend the adoption and passage of said substitute; which report was concurred in.

BILLS INTRODUCED.

By Mr. Caldwell: chairman committee judiciary, house file number 100, a bill for an act to amend section 530 of the Code.

By Mr. Caldwell: house file number 101, a bill for an act to detect persons guilty of stealing cattle, and slaughtering them on the prairie.

By Mr. Caldwell: chairman committee on judiciary, house file number 102, a bill for an act defining the duties of Sheriff and Clerk of the District Courts, in relation to the recording of executions and writs of Attachment, served and executed out of the county where they were issued; which was read a first and second time, and ordered engrossed, and read a third time on to-morrow.

Mr. Bowdoin moved that Messrs. Hall and Gue be added to the committee on schools and state university, which was adopted.

Mr. Cowing, from the committee on engrossed bills, made the following report:

The committee on engrossed bills beg leave to report that they have examined house file number 13, an act to amend chapter 157 of the laws of the Seventh General Assembly, and have found the same correctly engrossed.

The committee on agriculture, to whom was referred various petitions praying for a law taxing dogs, and the protection of sheep from their ravages, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage.

B. F. GUE, Chairman.

By Mr. Gue: house file number 103, a bill for an act to tax dogs and protect sheep from their ravages, which was read first time.

Mr. Claggett moved to refer the bill to the committee on judiciary.

Mr. Bowdoin moved to recommit the bill to the committee on Agriculture.

Mr. Lambert offered the following resolution relative to the bill:

That the committee be instructed to change the features of the bill so as to make the owner of any dog, that may kill sheep or other stock, liable to the owner of the stock for valuation and damage, and not provide for taxing dogs.

Which was lost.

The question then being upon the motion to re-commit, was lost; and the motion of Mr. Claggett was adopted, and the bill so referred.

By Mr. McCullough of Lee: house file number 104, a bill for an act for the preservation of sheep, which was referred to committee on judiciary.

Mr. Claggett presented a minority report as a member of the select committee on the liquor law, also a bill, house file number 105, for an act to repeal an act approved — day of — 185—, and all other acts in relation to the selling of spirituous liquors, &c., which was read first and second time.

Mr. Beal moved that 1000 copies of the bill and report be printed.

Mr. Bennett moved to amend by striking out 1000 and inserting 500, which was adopted.

By Mr. Paulk: house file number 106, a bill for an act amending section 940 of the Code of Iowa, regarding the standard weight of oats, which was read first and second time and referred to the committee on agriculture.

By Mr. Baker, house file number 107, a bill for an act to amend section 1706, chapter 102 of the Code, relating to a change of venue, which was read first and second time, and referred to committee on judiciary.

By Mr. Shipman: house file 108, a bill for an act to repeal chapter 193 of the laws of the 6th General Assembly, which was read first and second time, and referred to committee on agriculture.

By Mr. Caldwell: house file number 109, a bill for an act to amend section 1621 of the Code, which was read first and second time, and referred to committee on judiciary.

By Mr. Lambert: house file number 110, a bill for an act for

the relief of Chas. Murrow, which was read first and second time, and referred to committee on public lands.

The committee on enrolled bills beg leave to report that they have examined house file number 17, an act fixing the terms of court in the seventh judicial district, and have found the same correctly enrolled.

J. W. DENNISON,
J. E. WILLIAMSON.

The committee on enrolled bills beg leave to report that they have examined house file number 52, an act to change the times of holding courts in the eighth judicial district, and find the same correctly enrolled.

J. W. DENNISON,
J. E. WILLIAMSON.

By Mr. Claggett: house file number 111, a bill for an act to amend chapter 15 of the Code of Iowa, which was read first and second time.

Mr. Ruddick moved to refer the bill to the committee on county and township organization.

Mr. Claggett moved to amend by referring the bill to committee on judiciary, which was carried and the bill so referred.

Mr. Wright, by leave, offered the following resolution :
WHEREAS, A difference of opinion exists as to the time and manner of proceeding with Senate Messages received in this House, therefore be it

Resolved, That all Messages received from the Senate and Executive Office shall go on the Speaker's table without any action of the House, and the same shall come up for consideration under the order of business, "Messages and Communications on the Speaker's table," and be disposed of in the order in which they were delivered, unless otherwise ordered by the House.

Which was adopted.

Mr. Bowdoin moved that when this House adjourns, it adjourn till 9 o'clock to-morrow morning. Carried.

The Speaker announced the following select committee on the purchase of the Capitol Building, Messrs. Baker, Hall, Robb, McQuinn and Lambert.

On motion, Mr. Millard was granted leave of absence till Wednesday morning next.

Mr. Goodrell, from the committee on railroads presented the report of the majority of said committee, being himself and 4 others, he also presented a bill, house file number 112, which was read a first time, and on motion of Dr. Witter, 300 copies of the bill and report were ordered to be printed.

Mr. Jennings presented the minority report of said railroad committee. On motion of Mr. Taylor, it was also ordered to be printed.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
January 28th, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

The following communications were taken from the Speaker's desk :

From the Secretary of the Board of Education, relative to a portion of the University Lands in Hardin county, having been sold for taxes, &c.; which was read, and referred to the committee on judiciary.

Message from the Governor.

EXECUTIVE OFFICE, IOWA, }
January 20, 1860. }

Gentlemen of the House of Representatives:

I herewith transmit to you a copy of a communication this day received by me from the Secretary of the Board of Trustees of the State University.

SAMUEL J. KIRKWOOD.

Which communication was read and referred to the committee on Schools and State University.

EXECUTIVE OFFICE, }
January 21, 1860. }

Gentlemen of the House of Representatives :

I herewith transmit to you a copy of a memorial forwarded to me by the Washington National Monument Society, with a request that it should be laid before the General Assembly.

SAMUEL J. KIRKWOOD.

Which was read and referred to the committee on Federal Relations.

BILLS ON FIRST AND SECOND READING.

Senate file number 28 : a substitute for a bill for an act entitled an act to attach the counties of Sioux and Buncombe, to the county of Plymouth, and the transfer of the books, records and papers of said counties, to the county of Plymouth ; which was read a first and second time, and on motion of Mr. Bennett, referred to committee on Judiciary.

Senate file number 24 : a bill for an act to enforce the collection of taxes for the year 1858 ; which was read first and second time, and referred to committee on ways and means.

RESOLUTIONS ON THE TABLE.

The resolution introduced by Mr. Curtis, relative to State Binder, asking information as to whether certain laws and public documents of Seventh General Assembly, were bound, within the time prescribed by law, if not, the reason of his failure; was adopted.

The resolution of Mr. Bennett, enquiring whether the public printing required by the Seventh General Assembly, to be done by the first of May, following said session, was done in time; if not, the reason of his failure; was adopted.

The resolution introduced by Mr. Curtis, whether the Session Laws, and other documents ordered to be printed and distributed by the last General Assembly, were distributed as so ordered and if not, the cause; was adopted.

The resolution introduced by Mr. Bennett, asking the Governor to furnish the house with a copy of the report of the committee to examine State offices; was adopted.

Joint memorial, house file number 99; was read a second time, and referred to committee on railroads.

House file number 91, an act to amend section 10 of 5th article of constitution; was read a second time, ordered to be engrossed and read a third time on Monday.

The substitute for house files number 14 and 51, was read a second time.

Mr. Ellis moved to strike out all after the enacting clause, except the last section; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Barnes, Bracewell, Bennett, Caldwell, Campbell, Claggett, Conner, Cottle, Cowing, Crawford, Doggett, Dunlavey, Ellis, Glasgow, Gniffke, Gurley, Hall, Hotchkiss, Jennings, Le Lacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Merrill, Morehead, Noble, Peet, Reed, Shipman, Stanton, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren—39.

The nays were—Messrs. Bowdoin, Blackford, Bemis, Bremner, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Gue, Haskell, Harris, Hedges, Hoag, Hunt, Jones, Kellogg, Lambert, Macomber, McQuinn, Moser, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stevens, Streeter, Tompkins, Williams, Withrow, Witter, Wright and Mr. Speaker—45.

Absent, or not voting—Messrs. Goodrell and Millard.

Motion lost.

Mr. Bowdoin moved to strike out the section relating to black birds; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell,

Bennett, Bemis, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Doggett, Darling, Dennison, Dunlavey, Glasgow, Gniffke, Gue, Gurley, Hall, Haskell, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Noble, Parker, Peet, Price of Lee, Reed, Robinson, Ruddick, Shipman, Stanton, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—57.

The nays were—Messrs. Beal, Bereman, Blackford, Bremner, Clark of Johnson, Curtis, Davis of Jasper, Davis of Johnson, Ellis, Gillett, Harris, Jones, Kellogg, Merrill, Moser, Paulk, Price of Muscatine, Quinn, Rees, Riddle, Rosenkrans, Robb, Sabin, Streeter, Tompkins, Withrow, Wright—27.

Absent, or not voting—Messrs. Goodrell and Millard.

Which motion was adopted.

Mr. Robb moved that the rule be suspended, the bill, as amended, read a third time, and put upon its passage. Carried.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Dennison, Dunlavey, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Lambert, Le Lacheur, Macomber, Mangold, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Parker, Paulk, Price of Lee, Quinn, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—64.

The nays were—Messrs. Baker, Beal, Barnes, Campbell, Doggett, Davis of Johnson, Ellis, Gillett, Hunt, Lynch, McCullough of Jackson, Merrill, Noble, Peet, Price of Muscatine, Reed, Rees, Riddle, Stanton, Williamson of Louisa—20.

Absent, or not voting—Messrs. Kellogg and Millard.

The bill passed, and the title was agreed to.

House file number 97, a bill for an act to repeal section 2705, chapter 145, of Code, was read a third time.

Mr. Claggett moved to indefinitely postpone.

Mr. Gurley moved to lay the bill on the table; which was carried.

House file number 13, a bill for an act to amend chapter 157 of the laws of the 7th General Assembly, was read a third time, and on motion of Mr. Claggett, was re-committed to the committee on corporations.

BILLS INTRODUCED.

By Mr. Gillett: house file number 113, a bill for an act for the

re-organization of counties and townships; which was read a first and second time, and ordered to be printed.

Mr. Bowdoin moved that when the House adjourns, it adjourn till 10 o'clock Monday morning. Carried.

RESOLUTIONS.

Mr. Beal offered the following resolution :

Resolved, That the committee on schools be requested to report to this House, a bill providing for the payment of School Fund Commissioners for the six months they were retained or continued in office by the last Legislature, should the committee find said Commissioners justly entitled to recompense.

Which was adopted.

Mr. Bennett offered the following resolution :

WHEREAS, The publication of the laws passed at the late session of the Board of Education, has, by an act of that body, been authorized, and County Judges required to have those laws published in one or more papers in their respective counties; and

WHEREAS, several county papers, in accordance with said act, have proceeded to comply with the same, by order of County Judges, and published said laws. Therefore, be it

Resolved, That the committee on the judiciary be requested to examine the laws upon this subject, and report to this House the authority under which said laws were published, and also what authority the Board of Education had for ordering the publication of the same.

Which was, on motion, adopted.

Mr. Williamson of Louisa, offered the following resolution :

Resolved, That the Secretary of State report to this House, whether the lease or obligations held by the State for the Capitol Building, have been recorded in the Recorder's Office of Polk county, and if not, why the same has not been done, and also lay before this House, a copy of said leases or obligations, and also report whether the title to said building was in the lessors and unincumbered at the date of said leases or obligations, and is still unincumbered at this time.

Which was adopted.

By Mr. Paulk: house file number 114, a bill for an act to regulate the fees of grand and petit jurors, was read first and second time, and referred to committee on judiciary.

Mr. Claggett presented further additions to house file 41, which were read a second time and referred to committee on judiciary.

Mr. Hall offered the following resolution :

Resolved, That the committee on the Des Moines River Improvement, be instructed to enquire and report to this House the condition of the dams in said river, at and below Keosauqua, and what legislation is necessary in order to keep up said dams; also

the propriety of disposing of the interest of the State in the dams and locks, to the mill owners, upon condition that they keep the dams and locks in repair, and that they report by bill or otherwise.

Which was adopted.

Mr. Jones offered the following resolution :

Resolved, That the committee on printing be instructed to report to this House, as soon as practicable, the reason why the Message, Inaugural, and other documents ordered printed some two weeks ago, for the use of the House, have not been furnished, and also when copies of the revised addition of the Code may be expected.

Which was adopted.

Mr. Baker offered a resolution that the House adjourn. Which was carried.

HALL OF HOUSE OF REPRESENTATIVES, }
January 30, 1860, }

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of Saturday read and approved.

Mr. Clark of Johnson, presented the protest of Rush Clarke, and 44 others, members of the House of Representatives, dissenting from the Protest of N. B. Baker, and others, as follows :

WHEREAS, N. B. Baker, and thirty others, members of this house, have entered their protest against certain proceedings of the house, placed upon the Journal of the 25th day of January, 1860.

The undersigned, members of this house, differing with the said protestants as to certain statements made in such protest, and assumed as facts, beg leave to dissent from said protest; and do insist,

First. That the Journal of the house of the 25th of January, 1860, referred to in said protest, is entirely correct and a true history of the proceedings of the house, as the same transpired and were understood at the time, by a majority of the members present.

Second. That the Speaker, *pro tem.*, (Mr. Witter, who occupied the Chair of the house at the time,) in answer to an inquiry addressed to him by some one of the members of the house, immediately before putting the motion of Mr. Rosenkrans, stated the question before the house to be, "shall the house take a recess of half an hour;" and that thereupon in the midst of much confusion the motion of Mr. Rosenkrans was put and carried.

Third. That the house, or a great majority of the members present, understood the question put by the said Speaker, *pro tem.* to be on the motion of Mr. Rosenkrans, "to take a recess of half an hour."

Fourth. That if in the confusion attending the proceedings complained of in the said protest, a motion was made 'to adjourn,' as alleged by the said protestants; the same was not, in our opinion, heard by a majority of the members present: and we aver that the same was not recognized by the Chair, nor stated, nor put to the house, nor was the same insisted on by *the mover*.

Fifth. The undersigned further insist that for the reasons above stated, such declaration made by the Speaker, *pro tem.* if made as alleged by said protestants, whether by inadvertence or design, could in nowise alter or affect the proceeding of the house as expressed by their vote on the motion "to take a recess of half an hour."

And, added to this, we further claim that under the law governing the house, such motion to adjourn, if made at all was irregular as contravening a previous order of the house, still in force, concurring in the resolution of the Senate, to meet in Joint Convention, at 3 o'clock, P. M. on the same day; and that the Chair was not obliged to recognize such motion.

The undersigned therefore beg leave to dissent from the protest mentioned, and ask that their statement be entered upon the Journal of the house.

L. O. HASKALL,
J. W. DENNISON,
J. H. WILLIAMSON,
ROB'T GLASGOW,
E. G. BOWDOIN,
A. M. COWING,
SAMUEL MERRILL,
THOMAS N. BARNES,
L. C. NOBLE,
GEO. W. RUDDICK,
LEROY LAMBERT,
MAHLON STANTON,
H. C. CALDWELL,
D. D. SABIN,
S. B. ROSENKRANS,
F. MANGOLD,
MATTHEW CLARK,
JENNINGS CRAWFORD,
H. B. LYNCH,
JOHN EDWARDS,
J. C. MITCHELL,
C. GILLET,
W. W. COTTLE.

RUSH CLARKE,
GEO. T. DAVIS,
STEWART GOODBELL,
B. F. GUE,
W. H. F. GURLEY,
J. L. MILLARD,
GEO. C. SHIPMAN,
M. PRICE,
K. W. MACOMBER,
WM. BRENNER,
J. E. BLACKFORD,
GEO. W. BEMIS,
R. A. MOSER,
M. MOREHEAD,
AMOS HOAG,
DAVID HUNT,
ABRAM TOMPKINS,
C. M. DAVIS,
JAMES MCQUINN,
WASH. DARLIN.
A. J. WITHROW,
Z. STREETER.

January 26, 1860.

Mr. Claggett moved that the protest of Mr. Clark, and others, be not entered on the Journals.

When Mr. Baker moved to amend as follows :

Resolved, That the paper, purporting to be a protest, presented by Mr. Clark of Johnson, is not a protest within the meaning of the Constitution, and that the Clerk of the house be directed not to enter the same on the Journal of this house.

Which was accepted.

The question being upon the adoption of the motion as amended by Mr. Baker, upon which the yeas and nays were demanded by Mr. Baker, were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bracewell, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren, Withrow, Wright—37.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Witter and Mr. Speaker.—49.

Motion lost.

REPORTS OF COMMITTEES.

Mr. Cowing, from the committee on engrossed bills, submitted the following report :

The committee on engrossed bills beg leave to report that they have examined the following bills, and have found the same correctly engrossed.

Substitute for house file number 34, an act to exempt certain lands from taxation.

House file number 22, an act regulating interest on delinquent taxes.

House file number 28, an act to legalize the acts of Geo. S. C. Dow, as Notary Public in Scott county.

Substitute for house file number 32, an act to annex certain unorganized counties to certain organized counties in the State of Iowa, for election, revenue and judicial purposes.

House file number 60, a bill for an act to pay Major William Williams, and others, for services and supplies, Spirit Lake Expedition, 1857.

House file number 94, a bill for an act to amend chapter 72 of the acts of the Seventh General Assembly.

House file number 91, a bill proposing to amend section ten of the fifth article of the Constitution.

BILLS ON THIRD READING.

House file number 74, a bill for an act for the relief of Marshall county, was read a third time, and on the question shall the bill pass? the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Des Moines, Cottle, Cowing, Crawford, Darling, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Kellogg, Lambert, Macomber, McCollough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Witter, Wright and Mr. Speaker—55.

The nays were—Messrs. Beal, Bereman, Bennett, Campbell, Clark of Jefferson, Claggett, Daggett, Dunlavey, Ellis, Gnifke, Hall, Jones, LeLacheur, McCollough of Jackson, Peet, Reed, Rees, Riddle, Stanton, Stevens, Whitaker, Williamson of Louisa—22.

Excused—Messrs. Jennings, Mangold and Withrow. Absent, or not voting—Conner, Davis of Jasper, Lynch, Millard and Williamson of Warren.

The bill was passed and the title was agreed to.

Mr. Baker moved to reconsider the vote, which was done, and the bill was on motion of Mr. Baker, recommitted to the committee on judiciary, with instructions.

House file number 53, a bill for an act making appropriations to meet the current expenses of the Deaf and Dumb Asylum, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bemis, Bremer, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottle, Cowing, Crawford, Darling, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gnifke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, Mr. Speaker—73.

The nays were—Messrs. Beal, Bennett, Campbell, Clark of Des Moines, Curtis, Doggett, Dunlavey, LeLacheur, Paulk, Peet—10.

Absent, or not voting—Davis of Jasper, Kellogg, Millard.

The bill passed, and the title was agreed to.

Mr. Davis of Jasper, was granted leave of absence, and Mr. Kellogg was on motion of Mr. Claggett, excused.

House file number 92, a Joint Memorial requesting our Senators and Representatives in Congress to secure the passage of a Homestead law, which was read a third time, and upon the question shall the bill pass? the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—81.

The nays were—None.

Absent, or not voting—Messrs. Davis of Jasper, Harris, Kellogg, Millard, Price of Muscatine.

The Joint Resolution passed, and the title was agreed to.

House file number 86, a bill for an act to give greater security to venders and mortgagees of real estate; which was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—None.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Connor, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—79.

Absent or not voting—Messrs. Campbell, Davis of Jasper, Kellogg, Millard, Merrill, Robinson and Williams.

The bill was lost.

House file number 81, a bill for an act authorizing the district court, or the judge thereof, to change the venue in certain criminal prosecutions, in certain cases; which was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—78.

The nay was—Mr. Peet.

Absent, or not voting—Messrs. Davis of Jasper, Kellogg, Millard, Riddle, Robinson, Stanton and Williams.

The bill passed, and the title was agreed to.

House file number 6, a bill for an act to authorize Paul C. Jeffreys to transcribe and index certain records of Wapello county; which was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—79.

The nays were—None.

Absent, or not voting—Davis of Jasper, Kellogg, Millard, Riddle, Gurley, Goodrell, McCullough of Lee.

The bill was passed and title agreed to.

House file number 57, a bill for an act to repeal part of section

six, of chapter ninety-three, of the acts of the Seventh General Assembly, was read a third time, and upon the question shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were.—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—80.

The nays were—None.

Absent, or not voting—Claggett, Davis of Jasper, Kellogg, Millard, Riddle, Williams.

The bill was passed, and the title was agreed to.

House file number 84, a bill for an act to restrain and prevent the issue of county bonds ; was read a third time, and upon the question, shall the bill pass, the yeas and nays were called, and were as follows :

The yeas were.—Messrs. Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Johnson, Gillett, Glasgow, Hall, Harris, Hedges, Hunt, LeLacheur, Lynch, Mangold, McCullough of Lee, McQuinn, Mitchell, Morehead, Paulk, Price of Lee, Price of Muscatine, Reed, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Whitaker, Williamson of Louisa, Withrow, Wright—47.

The nays were.—Messrs. Baker, Beal, Clark of Des Moines, Claggett, Doggett, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gue, Gurley, Haskell, Hoag, Hotchkiss, Jennings, Jones, Lambert, Macomber, McCullough of Jackson, Merrill, Moser, Noble, Parker, Quinn, Riddle, Robinson, Robb, Stevens, Tompkins, Williamson of Warren, Witter and Mr. Speaker—33.

Absent or not voting—Campbell, Davis of Jasper, Kellogg, Millard, Peet and Williams.

Bill passed, and the title was agreed to.

House file 66, a bill for an act to provide for the navigation of the Little Sioux River ; which was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were.—Messrs. Baker, Beal, Bereman, Bowdoin,

Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker—76.

The nays were—Mr. Ruddick—1.

Absent or not voting—Campbell, Davis of Jasper, Gurley, Hoag, Kellogg, Millard, Riddle, Williams, Wright.

The bill passed, and the title was agreed to.

Mr. Beal moved that the house adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

House file number 34, a bill for an act exempting 40 acres from taxation, under certain conditions; which was read a third time, and upon the question, shall the bill pass, the yeas and nays were called, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bennett, Blackford, Bemis, Bremner, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Hall, Haskall, Harris, Hedges, Hunt, Jennings, Jones, Macomber, Mangold, McCullough of Lee, Mitchell, Merrill, Morehead, Moser, Parker, Price of Lee, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Stevens, Streeter, Tompkins, Withrow, Witter, Wright—51.

The nays were—Messrs. Bereman, Barnes, Caldwell, Claggett, Glasgow, Gurley, Hoag, Hotchkiss, Kellogg, Lambert, Le Lacheur, Lynch, McCullough of Jackson, McQuinn, Noble, Paulk, Peet, Price of Muscatine, Quinn, Reed, Ruddick, Shipman, Stanton, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—28.

Absent, or not voting—Messrs. Bracewell, Cowing, Davis, Gue, Kellogg, Millard and Williams.

The bill passed and the title agreed to, was an act to encourage the growth and cultivation of timber.

The following message was received from Senate:

MR. SPEAKER:—I am directed by the Senate to inform the House

that the Senate has passed substitute for senate file number 32, a bill for an act to amend chapter 156 of the acts of the 7th General Assembly, entitled pre-emptors of school lands, approved March 23d, 1858, in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

House file number 85, a bill for an act relating to the giving of testimony in courts of justice, was read a third time, and on motion of Mr. Peet, was laid on the table.

House file number 60, a bill for an act to pay Major W. Williams, and others, for services and supplies in Spirit Lake expedition, 1857, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, Mr. Speaker—80.

The nays were—None.

Absent, or not voting—Messrs. Davis of Jasper, Gue, Hunt, Kellogg, Millard and Williams.

The bill was passed, and the title was agreed to.

Mr. Streeter offered the following resolution:

WHEREAS, Edward Stimpson, Esq., President of the Dubuque, Marion & Western Railroad Company, desires a public opportunity to be heard on the subject of the land grant to the Iowa Central Air Line Railroad Company, and the subsequent action of that Company in relation thereto; and also desires to invite Mr. Crocker, the President of the Cedar Rapids Railroad Company, to meet him on the issues between said Companies. Therefore, be it

Resolved, That the use of this Hall be and is hereby granted to said parties for the purposes aforesaid, this evening, at 7 o'clock.

Which was adopted.

House file number 32, a bill for an act relating to unorganized counties in the State; which was read a third time, and on motion of Mr. Bennett, the bill was laid on the table.

House file number 94, a bill for an act to amend chapter 72 of the acts of the 7th General Assembly; which was read a third time, and on motion, laid on table.

House file number 28, a bill for an act to legalize the acts of Geo. S. O. Dow, as Notary Public, in Scott county, Iowa; which was read a third time, and on the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremer, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Doggett, Darling, Davis of Johnson, Ellis, Gillett, Gniffke, Goodrell, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Whitaker, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—66.

The nays were—Messrs. Bereman, Curtis, Dennison, Dunlavey, Glasgow, Haskell, Morehead, Moser, Rees, Shipman, Williamson of Louisa—11.

Absent, or not voting—Clark of Johnson, Davis of Jasper, Gue, Kellogg, Lambert, Millard, Reed, Tompkins and Williams.

The bill was passed, and the title was agreed to.

House file number 91, a bill for an act proposing to amend section 10 of the fifth article of the constitution; which was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Campbell, Claggett, Conner, Curtis, Doggett, Darling, Davis of Johnson, Dunlavey, Ellis, Gniffke, Gurley, Harris, Hedges, Hotchkiss, Jennings, Jones, Le Lacheur, Mangold, McCullough of Jackson, McCullough of Lee, Merrill, Parker, Paulk, Peet, Price of Lee, Reed, Riddle, Robb, Sabin, Shipman, Streeter, Taylor, Whitaker, Williamson of Warren, Withrow—44.

The nays were—Messrs. Bereman, Caldwell, Clark of Jefferson, Clark of Des Moines, Cowing, Crawford, Dennison, Glasgow, Goodrell, Hall, Haskell, Hoag, Hunt, Lambert, Lynch, McQuinn, Morehead, Moser, Noble, Price of Muscatine, Quinn, Rees, Robinson, Rosenkrans, Ruddick, Stanton, Tompkins, Williamson of Louisa, Witter, Wright, Mr. Speaker—32.

Absent, or not voting—Clark of Johnson, Cottle, Davis of Jasper, Gillett, Gue, Kellogg, Millard, Mitchell, Stevens, Williams.

The bill passed, and the title was agreed to.

The committee on incorporations report to this House an amendment to house file number 13, a bill to amend section 12, of chapter 157, of the acts of the 7th General Assembly, approved March 23d, 1858, and recommend that the same be passed.

G. W. RUDDICK, Ch'm.

Mr. Baker offered the following amendment to the second sec-

tion, by adding, "in all cases when the notices required by law have been duly given;" which the House concurred in.

The bill was read a second time, and on motion of Mr. Baker, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Des Moines, Conner, Cowing, Crawford, Curtis, Darling, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Harris, Hoag, Hunt, Jennings, Jones, Lambert, Le Lacheur, Macomber, Mangold, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Warren, Withrow, Witter, Mr. Speaker—64.

The nays were—Messrs. Claggett, Doggett, Dennison, Dunlavey, Ellis, Haskell, Hedges, Hotchkiss, McCullough of Jackson, Reed, Williamson of Louisa—11.

Absent, or not voting—Campbell, Clark of Johnson, Clark of Jefferson, Cottle, Davis of Jasper, Gue, Kellogg, Lynch, Millard, Williams and Wright.

The bill passed, and the title was agreed to.

Mr. Rees moved that Messrs. Jennings and Williamson of Warren be added to the com. on Des Moines River Improvements.

Pending which, on motion of Mr. Moser, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
January 31st, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

The reading of the Journal of yesterday, was, on motion of Mr. Baker, dispensed with.

The question before the House was, upon the motion of Mr. Rees, that Messrs Jennings and Williams of Warren, be added to the committee on Des Moines River Improvement; which was adopted.

Mr. Baker moved that Messrs. Bennett, Kellogg and Robb be added to the special committee on printing; which was lost.

Mr. Kellogg moved to reconsider the vote by which the following gentlemen, to wit: Jennings and Williamson of Warren, were added to the committee on the Des Moines River Improvement.

Mr. Curtis moved to lay the motion of Mr. Kellogg on the table; which was carried.

Mr. Paulk moved that two be added to the committee on incorporations, and that the chair appoint; which was carried.

Mr. Goodrell moved that the special committee on printing be allowed to employ a clerk.

Mr. Williamson of Warren, moved to lay the motion on the table; which was carried.

BILLS ON THIRD READING.

House file number 22, a bill for an act regulating delinquent taxes, which was read a third time.

Mr. Claggett moved to re-commit, and that the committee be instructed to report a bill providing for delinquent tax payers, including those who have paid, as well as those who are still delinquent, and also for those who have had personal property sold for non-payment.

Pending which, Mr. Lambert moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Baker, by leave, offered the following resolution:

Resolved, That the officers of this House be allowed to send their letters, &c., &c., the same as members of this House.

Which was adopted.

Mr. Jennings offered the following resolution:

Resolved, That the Secretary of State be directed to furnish each member of the House with a copy of Supreme Court Reports.

Mr. Williamson, of Louisa, moved to amend, by adding, *Provided*, They are on hand for distribution among the people.

Mr. Curtis moved a call of the House, which was seconded.

Pending which, Mr. Baker moved that the further proceedings under the call be dispensed with. Carried.

And upon the amendment by Mr. Williamson, of Louisa, the question recurred, and was adopted; and the resolution of Mr. Jennings, as amended, was then adopted.

Mr. Hall, by consent, introduced a substitute for house file number 22.

Mr. Wright moved to lay the bill on the table. Lost.

Mr. Shipman moved to re-commit; upon which, Mr. Baker de-

manded the yeas and nays, which were ordered, and were as follows :

The yeas were—Messrs. Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Clark of Jefferson, Claggett, Cottle, Crawford, Gillett, Gniffke, Goodrell, Gurley, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Merrill, Moser, Noble, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Wright—37.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Cowing, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Millard, Mitchell, Morehead, Parker, Paulk, Peet, Riddle, Robinson, Rosenkrans, Robb, Stevens, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker—46.

Absent, or not voting—Davis of Jasper, Gue and Williams.

Motion lost.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bowdoin, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Darling, Dennison, Dunlavey, Ellis, Glasgow, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Millard, Merrill, Noble, Parker, Paulk, Peet, Price of Lee, Riddle, Robinson, Rosenkrans, Robb, Stevens, Taylor, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—44.

The nays were—Messrs. Bereman, Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Davis of Johnson, Gillett, Gniffke, Goodrell, Gurley, Hoag, Jennings, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Moser, Price of Muscatine, Quinn, Reed, Rees, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Wright—37.

Absent, or not voting—Messrs. Davis of Jasper, Gue, Mitchell, Morehead and Williams.

The bill passed, and the title was agreed to.

Mr. Baker moved to take up the Code of Civil Practice, in committee of the whole, upon Monday next, at 2 o'clock, P. M., and each day thereafter till it is disposed of.

Mr. Claggett moved to amend, by referring the Code to the judiciary committee; which was carried.

Mr. Bennett moved that the House adjourn. Carried.

HALL OF REPRESENTATIVES, }
February 1st, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Drake.

Journal of yesterday read and approved.

Mr. Tompkins presented petitions from citizens of Tama county, asking the transfer of certain lands to the Cedar Rapids and Missouri River Rail Road Co., which were referred to committee on railroads.

Mr. Williamson, of Louisa, presented the petition of citizens of Louisa county, asking for an additional term of the District Court. Referred to committee on Judiciary.

Mr. Le Lacheur presented three petitions from citizens of Delaware county, praying for township organization, &c., &c.; which were referred to committee on county and township organization.

Mr. Wright presented the petition of citizens of Cedar county, asking for a change in the law relating to county organization, &c., &c., which was referred to committee on township and county organization.

Mr. Reed presented a petition from citizens of Jackson, asking that the crime of breaking down fences be made a felony, &c., which was referred to committee on judiciary.

Mr. Rees presented the petition of numerous citizens of north central Iowa, praying for a change in the mode of taxation, &c., which was referred to the committee on ways and means.

Mr. Dennison presented the petition of citizens of Monona county, asking for a transfer of lands to the Cedar Rapids and Missouri River Railroad Company; which was referred to the committee on railroads.

Mr. Bereman presented the petition of William Woodward, for relief; which was referred to committee on charitable institutions.

REPORTS OF COMMITTEES.

The committee on ways and means, to whom was referred house file number 63, a bill for an act to amend an act of the seventh session of the General Assembly of Iowa, entitled the Revenue Law, approved March 23d, 1858, have had the same under consideration, and have directed me to report the bill back to the house, and recommend that it do not pass.

GURLEY, Ch'm.

The committee on ways and means, to whom was referred house file number 54, a bill for an act to amend section 37, of chapter 152, of the acts of 1858, defining the manner and order of describing lands in the tax book, have had the same under consider-

ation, and have directed me to report the bill back to the house, and recommend its indefinite postponement.

GURLEY, Ch'm.

The committee on ways and means, to whom was referred house file number 96, a bill for an act to exempt the homestead from taxation, have had the same under consideration, and have directed me to report the bill back to the house, and recommend that it do not pass.

GURLEY, Ch'm.

Which reports were received.

The committee on claims, to whom was referred the memorial of John Pattee, have had the same under consideration, and believing that there are certain legal questions connected with said claim, which they are not willing to take the responsibility of deciding, they have, therefore, instructed me to report the same back to the house, and ask that it be referred to the judiciary committee.

E. WRIGHT, Ch'm.

Which report was concurred in, and the memorial referred to the committee on judiciary.

The committee on claims, to whom was referred the petition of John Bryan, asking an appropriation of \$1,400, to pay, (as he claims,) a sum due him for work done on furniture, for the State House, in the years 1857 and 1858, have had the same under consideration, and have directed me to report it back to the house, and recommend that the prayer of the petitioner be not granted, for the reason that said claim was well considered by the members of the Seventh General Assembly, and they, in their wisdom, deemed the amount, (\$4,779 33,) appropriated by said Seventh General Assembly, sufficient to recompense said John Bryan for his work and expenses.

WRIGHT, Ch'm.

Which report was concurred in.

The judiciary committee, to whom was referred house file number 21, an act to repeal part of chapter 79, of the Code, in relation to the conveyance of real estate, have had the same under consideration, and have instructed me to report the same back, with a recommendation that it do not pass.

CALDWELL, Ch'm.

The judiciary committee to whom was referred house file number 20, an act in relation to judgment liens, have had the same under consideration, and have instructed me to report the same back, with a recommendation that it do not pass.

CALDWELL, Ch'm.

Which was concurred in.

The committee on printing, to whom was referred house file number 73, report that they have had the matter under consider-

ation, and report the same back without amendment, and recommend its passage.

BEREMAN, Chairman.

The committee on enrolled bills, have presented to the Governor for his signature, house file number 17, an act fixing the terms of Court in the seventh (7) Judicial District.

Also house file number 52, an act to change the times of holding courts in the eighth (8th) Judicial District.

J. W. DENNISON, Chairman.

The committee on ways and means, have directed me to report that they have, in accordance with the instructions of this house, had under consideration the expediency of reporting a bill abolishing so much of the present revenue laws, as requires that the delinquent tax list be published in a newspaper, if one be published in the county, and have directed me to report, that in the opinion of the committee, it is not expedient.

GURLEY, Ch'm.

The committee on ways and means, have directed me to report that they have, in accordance with the instructions of this house, had under consideration the expediency of striking off the tax list all lands occupied by roads and highways, and have directed me to report, that in the opinion of the committee, it is not expedient.

GURLEY, Ch'm.

RESOLUTIONS.

Mr. Mitchell offered the following resolution :

Resolved, That the committee on roads and highways be instructed to enquire into the expediency of providing cart-ways for owners of farms on the prairies, through, and over the farms of others, to their timber, and to report by bill or otherwise.

Which was adopted.

Mr. Mitchell offered the following resolution :

Resolved, That the committee on schools and State University, be instructed to enquire into the expediency of binding the inhabitants of a township school district in voting a tax for school house purposes, to one half of one per cent for that purpose in any one year, and to report by bill or otherwise.

Which was adopted.

Mr. Moser offered the following resolution :

Resolved, That the committee on judiciary, be instructed to inquire into the expediency of so organizing justices courts, that the same shall have regular sessions not oftener than once every month, and continue in session until the business of the court is completed, with the privilege of calling a court for criminal proceeding.

Which was adopted.

Mr. Bereman offered the following resolution :

Resolved, That the Secretary of State be requested to furnish members of this house with the printed report of the commissioners appointed by the Governor to examine the State offices, so far as the same is applicable to the office of Superintendent of common schools.

Which was adopted.

Mr. Baker offered the following resolution :

Resolved, That the committee on the judiciary be directed to inquire into the expediency of reporting a bill abolishing all laws for the collection of unsecured debts, to the amount of \$100.

Which was adopted.

Mr. Reed offered the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the law in relation to Coroners, as to give justices of the peace the power of holding inquests in their respective townships, and report by bill or otherwise.

Which was adopted.

Mr. Curtis offered the following resolution :

Resolved, That the committee on roads and highways be instructed to enquire what further legislation, (if any,) is necessary to insure proper notice for applications for levying, changing, and vacating public highways, streets, alleys, &c.; and to report by bill or otherwise.

Which was adopted.

Mr. Bennett offered the following resolution :

Resolved, That the reporters for the different newspapers on this floor, be required to give the names of the papers for which they report, in writing, which shall be filed with the clerk of this house for reference, to which each member may have access at any time.

Which was adopted.

Mr. Noble offered the following resolution :

Resolved, That the committee on judiciary be instructed to enquire into the expediency of so altering or amending the law in regard to the change of venue before justices of the peace, as to limit the same, and if expedient, to report a bill.

Which was adopted.

Mr. Morehead offered the following resolution :

Resolved, That the committee on charitable institutions be instructed to enquire into the expediency of employing a Chaplain for the Iowa State Penitentiary, who shall give his entire attention to the same, and to report by bill or otherwise.

Which was adopted.

Mr. Withrow offered the following resolution :

Resolved, That the committee on ways and means be instructed to enquire into the expediency of reporting a bill punishing County

Treasurers for charging fees for the discharge of their duties, in addition to their compensation, as now provided by law.

Which was adopted.

Mr. Curtis offered the following resolution :

Resolved, That the committee on the judiciary be instructed to enquire what further legislation, (if any,) is necessary to insure a more faithful administration of the estates of decedents, and a more frequent and prompt settlement of executors and administrators, and to report by bill or otherwise.

Which was adopted.

Mr. Mitchell offered the following resolution :

Resolved, That the committee on county and township organization be instructed to enquire into the expediency of providing for the pay of the salaries of the Clerk of the District Court, and Treasurer and Recorder, by the fees paid in said offices, and that the office of Treasurer and Recorder be separated, and to report by bill or otherwise.

Which was adopted.

Mr. Wright offered the following resolution :

Resolved, That the Attorney General be requested to report to the house at an early day, what action he may have taken in regard to prosecuting James D. Eads; the condition of the civil suits against him, and the same in regard to the suits against Peter Moriarty.

Which was adopted.

Mr. Kellogg offered the following resolution :

Resolved, That the judiciary committee be requested to inquire into the expediency of taxing cultivated and uncultivated lands equally, and report by bill or otherwise.

Which was adopted.

Mr. Jones offered the following resolution :

Resolved, That the committee on ways and means be requested to take into consideration the propriety of reporting a bill repealing that part of section fifty-one, chapter one hundred and fifty-two, passed at the seventh session of the General Assembly, and reviving that portion of section four hundred and ninety-eight, chapter thirty-seven of the Code, that provides that the publication of the sale of real property for delinquent taxes, need not contain a list of the lands so published.

Which was lost.

Mr. Witter offered the following resolution :

Resolved, That the use of this hall for this evening, be given to Mr. H. C. Henderson, and others, for the discussion of the railroad question.

Which was adopted.

Mr. Stanton offered the following resolution :

Resolved, That the committee on county and township organization be instructed to enquire into the propriety of so changing

the law that the tax levied by township trustees for bridges, scrapers, &c., may be collected in cash instead of being worked out, as now, and report by bill or otherwise.

Which was lost.

Mr. Williams offered the following resolution :

Resolved, (The senate concurring,) That the Secretary of State be, and is hereby instructed to deliver to the Code Commissioners fifty copies of their report on civil practice.

Which was adopted.

Mr. Davis, of Johnson, offered the following resolution :

Resolved, That the committee on railroads be instructed to enquire into the expediency of requiring railroad companies in this State, to carry freight and passengers, *pro rata*, with the railroads with which they connect on the east.

Which was adopted.

Mr. Clark, of Des Moines, offered the following resolution :

Resolved, That J. B. Hall, Esq., of the city of Burlington, be entitled to one copy of the Geological Reports of this State, in consideration of his services rendered in making said survey; also one copy to Professor J. H. Ranch, of Chicago, in consideration of his services rendered in getting up said reports.

Which was adopted.

Mr. Caldwell offered the following resolution :

Resolved, That the Secretary of State be, and is hereby instructed to have one copy of the reports of the several State officers, printed for the use of the Legislature, and bound in one volume, and furnish each member of this house one copy of said bound volume.

Mr. Lynch moved to amend, provided it be done at the expense of the members. Amendment lost.

Mr. Bereman moved to amend, and that the Secretary of State is hereby directed to have 10 copies of said bound report preserved in the State Library; upon which Mr. Claggett demanded the yeas and nays, which were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bennett, Bremner, Caldwell, Clark of Des Moines, Conner, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Gurley, Hall, Harris, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Macomber, Mangold, McQuinn, Merrill, Noble, Parker, Peet, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stevens, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter and Mr. Speaker—46.

The nays were—Messrs. Barnes, Bracewell, Blackford, Bemis, Campbell, Clark of Jefferson, Claggett, Cottle, Cowing, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Haskell, Hedges, Kellogg, Lynch, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Morehead, Moser, Paulk, Price of Lee,

Reed, Ruddick, Stanton, Streeter, Whitaker, Williamson of Louisa, Wright—35.

Absent, or not voting—Messrs. Clark of Johnson, Davis of Jasper, Gue, Jennings, Price of Muscatine.

The resolution was adopted.

By leave, Mr. Ruddick presented the following report:

The committee on incorporations, to whom was referred house file number 30, an act to legalize the election of the President, Town Council, and other officers of Chariton, Lucas county, and the official acts of the same, report that they have had the same under consideration and report the same back to the house with an amendment, and recommend its passage.

By leave, the committee on county and township organization, reported back house file number 48, and recommended its reference to the committee on judiciary, which was concurred in.

INTRODUCTION OF BILLS.

By Mr. Baker: house file number 116, a bill for an act in relation to trust deeds, which was read first and second time, and referred to committee on judiciary.

By Mr. Cowing: house file number 117, a bill for an act to pay a certain reward offered by the Governor of the State of Iowa, which was read first and second time, and referred to committee on claims.

By Mr. Price of Muscatine: house file number 118, a bill for an act amending an act to provide for levying a tax on certain lands to complete and keep in repair a levee on Muscatine island, &c., which was read first and second time and referred to committee on agriculture.

By Mr. Bracewell: house file number 119, a bill for an act entitled an act to amend section 52 of the Code, which was referred to the committee on agriculture.

By Mr. Hall: house file number 120, a bill for an act to amend sections 10 and 11 of chapter 102 of the acts of the 7th General Assembly, which was read first and second time, and referred to the committee on judiciary.

By Mr. Lynch: house file number 121, a bill for an act to repeal section 1, chapter 112, of the laws of 1852 and 1853, which was read a first and second time, and referred to the committee on judiciary.

By Mr. Beal: house file number 122, a bill for an act repealing chapter 10 of the acts of the 7th General Assembly, entitled an act authorizing the Governor to raise, arm and equip a company of mounted men, for the defence and protection of our frontier, which was read first and second time, and referred to committee on militia.

By Mr. Cowing: house file number 123, a bill for an act in re-

lation to county treasurers and their deputies, which was read first and second time, and referred to committee on ways and means.

By Mr. Ruddick: house file number 124, a bill for an act relating to practice in the Supreme Court of the State of Iowa, which was read first and second time, and referred to committee on judiciary.

By Mr. Williamson of Warren: house file number 125, a bill for an act to repeal chapter 240 of the acts of the 6th General Assembly, which was read first and second time, and referred to committee on judiciary.

By Mr. Robb: house file number 126, a bill for an act to regulate the changing of county seats, which was read first and second time and referred to committee on county and township organization.

By Mr. Peet: house file number 127, a bill for an act to amend section 2586 of the Code, which was read first and second time, and referred to committee on judiciary.

By Mr. Barnes: house file 128, a bill for an act for the repeal of chapter 101 of the acts of the Seventh General Assembly, which was read first and second time, and referred to the committee on agriculture.

By Mr. Moser: house file number 129, a bill for an act to amend an act requiring constables to give bonds in the office of County Judge, so as to require them to file bonds with the township clerk, which was read first and second time, and referred to committee on county and township organization.

By Mr. Claggett: house file number 130, a bill for an act relative to the Keokuk, Fort Des Moines and Minnesota Railroad Co., which was read first and second time, and referred to committee on incorporations.

By Mr. Bereman: house file number 131, a bill for an act in relation to State Printing, which was read a first time, and ordered printed.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform the House, that the Senate has passed the following concurrent resolution:

Resolved, (the Senate and House concurring,) That the State Binder and State Printer be required to deliver all documents ordered by either of its branches, or for the use of the Assembly, to the Secretary of State, who shall deliver the same, at once, to the Secretary of the Senate or Clerk of the House, or both, as the case may require; and it shall be the duty of the Secretary and Clerk to have such documents equally distributed and laid on the desks of members at the earliest possible moment.

In which the concurrence of the House is asked.

J. H. SANDERS, Secretary.

Which resolution was adopted.

COMMUNICATIONS ON SPEAKER'S DESK.

The communication from His Excellency the Governor, relative to the report of the committee to examine State offices, was read, and referred to the committee on judiciary.

The communication from the Secretary of State relative to the time the session laws and other documents were printed, &c., was read, and referred to the committee on judiciary.

The communication from F. M. Mills, State Binder, relative to the binding of the session laws and other documents, was read, and referred to the committee on judiciary.

The communication from John Teesdale, relative to the printing of State and other documents, was read, and referred to the committee on judiciary.

Mr. Claggett offered the following protest, and asked that the same might be entered upon the Journal.

We, the undersigned, members of the House of Representatives of the State of Iowa, regarding the resolutions of this body, authorizing the printing of 7,500 copies of the Inaugural Message of Gov. Kirkwood, injurious both to the public and individuals, and firmly impressed with a conviction, that a portion of said message is calculated to impair the harmonious relations which exist between the citizens of the several States, do, under the right secured to us by Art. 3, Sec. 10, of the Constitution, earnestly, but respectfully, protest against the said resolution, and the passage thereof, for the following reasons, viz:

1st. We protest against the resolution calling for the publication of this message, for the reason that a great portion of the message relates to the Harper's Ferry invasion by John Brown, and details at length the private opinions of the Governor, as to the causes thereof, which we believe to be a direct departure from the plain duty of the executive, as prescribed by the Constitution, which defines that duty, in this respect, to be, "*to communicate to the General Assembly, at every regular session, the condition of the State, and recommend such measures as he shall deem expedient.*" The obvious intent of this provision is, that the suggestions and recommendations of the executive shall be restricted and confined to the internal affairs and "condition of the State"—to those matters, and those matters alone, which the General Assembly can regulate or remedy by legislation. The conduct of John Brown, and the individual opinion of the Governor, as to the causes which prompted that conduct, can have no possible connection with the duties of the General Assembly. The omission of the Governor to suggest or recommend any action by that body, in respect to that part of his message, assures us that he regarded it as not within the range of State legislation. We, therefore, most respectfully insist that we can only view the discussion of these topics in

his message, as an attempt to circulate among the people a political speech, *at the expense of the State*, under the cover of a public document; an object which we deem unworthy of his dignified and responsible position, and an example which no consideration of political policy can justify.

2d. We protest against the resolution, for the further reason, that we are constrained to regard the message to which it relates, as a palliation of the course pursued by Brown, and as an attempt to extenuate and excuse his conduct. He expressly declares that, "the mass of our Northern people feel and express admiration and sympathy for the disinterestedness of *purpose* by which they believe he was governed." While it may be true that this sympathy is cherished by the Governor and a fraction of his party, we have the strongest assurance that it finds no response in the feelings and sentiments of the large body of conservative and patriotic men of all parties, both North and South, who deeply regret and bitterly condemn alike the furious madness of Northern abolitionists and the unreasonable and disloyal fanaticism of Southern fire-eaters. We cannot believe that the "mass of our Northern people" entertain the slightest "admiration and sympathy" for that "purpose" which Brown himself declared to be "to free the negroes of the Southern States by *force*, and put arms into their hands to protect them against their masters;" or, when properly interpreted, to incite internal war and insurrection among a servile population, and bring on a crisis by treason and murder. We cannot believe that any such "admiration and sympathy for the disinterestedness of purpose" of a man who, at the dead hour of night, with his myrmidons, had called from their slumbers defenceless and unsuspecting citizens and murdered them, can ever exist among the "mass of our Northern people." And we do sincerely believe, that the same *lawless "purpose"* which prompted his incursions upon the property of the citizens of Missouri, dictated his foray into Virginia; and the "mass of our Northern people" do not hesitate to condemn the spirit which inspired the one, no less than they censure and reprobate the purpose which instigated the other.

3d. We protest, for the further reason, that a portion of the message, instead of being devoted to the "condition of the State," as required by the Constitution, arraigns an ex-President of the United States, and the members of Congress who supported the Kansas-Nebraska bill, as being "faithless to the pledges they had given," and "little less criminal in men in their position, than would have been the expectation and desire by them, that the struggle should be, as it was, a hostile and bloody one;" and that, too, when it is well known that the people of this Union, in the election of the present executive of the Nation, endorsed and approved that measure, now urged by our State executive as the cause of the civil war in Kansas, the insurrection in Virginia, and the treason and bloodshed of John Brown.

4th—We protest, for the further reason that this message declares that “it was insisted in substance, by our southern brethren, and either openly or tacitly approved of by many in the north, that if our people should find upon our borders a weak and helpless nation, who could be attacked with comparative safety, and whose form of government did not attain to our standard of perfection, it was not only the privilege but the mission of such of our people as desired to engage in the laudable undertaking to invade her territory with fire and sword, and to bring upon her peaceful inhabitants, men, women and children, all the horrors of war;” which declaration we sincerely believe to be an unjust charge against our southern brethren, and conservative men of the north, without foundation, and such a declaration as does not become the high and responsible position of our executive.

5th—We protest, for the further reason that the message accuses the prominent men of the north, “who do know better,” (as it alleges,) of “falsifying for a purpose,” when they interpret “admiration and sympathy for the disinterestedness of purpose” of Old John Brown, (as the Governor expresses it,) as excusing his acts.

6th—We protest, for the further reason that the dissemination of the sentiments contained in said message, tends to kindle anew that blind fanaticism, north and south, which has already shaken the foundations of the Union, and threatened to blast the brightest hopes of every true friend of American Liberty.

As a duty we owe to our fellow citizens and ourselves, we enter this, our solemn protest against the resolution referred to, upon the Journals of the House.

J. W. LELACHEUR,	HERCULES CAMPBELL,
H. DUNLAVEY,	MARVIN HOTOHKISS,
THOS. L. JONES,	M. B. BENNETT,
D. M. HARRIS,	PATRICK ROBB,
M. W. ROBINSON,	F. A. STEVENS,
G. P. ELLIS,	THOS. W. OLAGGETT,
O. PAULK,	N. G. HEDGES,
SAM'L REES,	CORNELIUS BEAL,
R. F. CONNER,	J. S. DOGGETT,
H. BRACEWELL,	N. B. BAKER,
C. J. PRICE,	JUSTUS CLARK.
J. E. WILLIAMSON,	S. R. PEET,
J. C. HALL,	J. TAYLOR,
F. A. GNIFFKE,	JOHN D. JENNINGS,
JOHN M. WHITAKER,	E. S. McCULLOCH,
WM. H. REED,	P. B. McCULLOUGH,
SAM'L H. RIDDLE,	R. D. KELLOGG,

Mr. Caldwell moved that when this House adjourns, it adjourn till 9 o'clock to-morrow morning. Carried.

Mr. Goodrell moved that the Governor's message be made the

special order for to-morrow at 10 o'clock, in committee of the whole.
Carried.

Mr. Merrill moved to reconsider the vote by which house file number 22 was passed on yesterday.

Mr. Clark, of Des Moines, moved to lay Mr. Merrill's motion on the table; which was lost.

The question then being upon the motion to reconsider, the yeas and nays were demanded by Mr. Claggett, and were ordered, and were as follows:

The yeas were—Messrs. Bereman, Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Clark of Jefferson, Claggett, Cottle, Cowing, Crawford, Darling, Davis of Johnson, Gillett, Goodrell, Gurley, Hoag, Hunt, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Mitchell, Merrill, Moser, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Wright, Mr. Speaker—32.

The nays were—Messrs. Baker, Beal, Bowdoin, Bennett, Clark of Des Moines, Conner, Curtis, Doggett, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Hall, Haskell, Harris, Hedges, Hotchkiss, Jones, Kellogg, Lambert, Le Lacheur, McCullough of Jackson, Millard, Morehead, Noble, Parker, Paulk, Peet, Riddle, Robinson, Robb, Stevens, Taylor, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter—38.

Absent, or not voting—Campbell, Clark of Johnson, Davis of Jasper, Gue and Jennings. Excused—Williams.

Carried.

The Speaker added Messrs. Claggett and Davis of Jasper, to committee on incorporations.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, February 2d, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Peet.

Journal of yesterday read and approved.

RESOLUTIONS.

Mr. Whitaker offered the following resolution:

Resolved, That no bill or joint resolution that may pass this

House, shall be reported to the Senate till the usual time allowed for reconsideration has expired, unless otherwise ordered by this House.

Which was adopted.

UNFINISHED BUSINESS.

Substitute for house files 58, 59 and 71, was taken up, and Mr. Paulk offered a substitute for the substitute and amendment.

Mr. Baker moved to lay the substitute on the table.

Mr. Withrow moved that the whole matter be made the special order, in committee of the whole, on Tuesday next, at 10 o'clock; which was adopted.

House file number 77 was then taken up, and the question being upon concurring in the report of the judiciary committee to indefinitely postpone the bill, it was concurred in.

Mr. Crawford presented the petition of citizens of Linn county, praying for a change in the last school law, as passed by the last Board of Education; which was referred to committee on schools.

Mr. Williams presented the petition of citizens of Dubuque Co., relative to mechanics' liens; which was referred to committee on judiciary.

Mr. Beal offered the following resolution:

WHEREAS, The Governor of this State has laid before this House, information that the sovereign State of Virginia has been invaded by one John Brown and his associates; therefore, be it

Resolved, That the committee on federal relations be requested to report to this House a joint resolution expressive of the sense and feeling of the members of this Legislature, as follows: 1st—Condemning, unqualifiedly, the acts of said Brown and his associates in said invasion. 2d—Expressing our sympathy with Virginia, for the injury done to her institutions and people. 3d—Expressing our deep regret that any citizens of the State of Iowa were concerned in said invasion.

Mr. Lynch offered the following amendment:

WHEREAS, John Brown has suffered the penalty of the law for the invasion of Virginia;

Resolved, That his ashes be allowed to rest in peace.

Mr. Claggett offered the following substitute:

Resolved, That the committee on federal relations be instructed to inquire into the expediency of reporting a bill to punish citizens of this State for invading any other of the States of this Union, and interfering in the local laws of such other States, by inciting any of the population of such States to insurrection or revolution, or from running off any of the property known and recognized by the laws of such other States.

The Speaker decided that that part of Mr. Claggett's substitute, as follows: "and interfering with the local laws of such other States

by inciting any of the population of such States to insurrection or murder, or for running off any of the property known and recognized by the laws of such other States," was out of order.

Mr. Olaggett appealed from the decision of the Chair; upon which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Beal, Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Hall, Haskell, Hoag, Hunt, Kellogg, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright—56.

The nays were—Messrs. Baker, Bennett, Campbell, Clark of Des Moines, Olaggett, Conner, Curtis, Doggett, Dunlavey, Gniffke, Harris, Hedges, Hotchkiss, Le Lacheur, McCullough of Lee, Peet, Rees, Robinson—18.

Excused—Jones, Ellis, Paulk, Price of Lee, and Mr. Speaker. Absent, or not voting—Bracewell, Clark of Johnson, Davis of Jasper, Gue, Jennings, Taylor, and Williamson of Warren.

The decision of the Chair was sustained.

Mr. Goodrell moved to lay the whole matter on the table, and that it be made the special order next Tuesday, at 10 o'clock; upon which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—49.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Olaggett, Conner, Curtis, Doggett, Dunlavey, Hall, Harris, Hedges, Hotchkiss, Jones, Kellogg, Le Lacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren—31.

Absent, or not voting—Messrs. Clark of Johnson, Davis of Jasper, Gniffke, Gue, Jennings and Taylor.

Mr. Goodrell's motion was adopted.

Mr. Robinson offered the following resolution:

Resolved, That the judiciary committee be instructed to inquire

whether any legislation is necessary to prevent citizens of this State from combining together within the jurisdiction of this State, and in pursuance of an agreement or understanding made within the State, going to another State or Territory of this Union, and there committing offences against the laws of such State or Territory.

And further, That said committee enquire and report to this house whether or not this State has the constitutional power to pass laws prohibiting persons going from this State to another State or Territory, for the purpose, and with the intent to entice away or running away of persons held to labor or service by the laws of such State; and that said committee report by bill or otherwise.

Mr. Williamson, of Louisa, offered the following amendment:

That the foregoing resolution is expressly understood to be intended for the manufacture of buncombe and capital for the negro business, and the committee are to so regard it and report accordingly.

Mr. Wright moved to lay the resolution and amendment on the table, upon which the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Jefferson, Cottle, Cowing, Crawford, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Haskell, Hoag, Hunt, Lynch, Macomber, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright—44.

The nays were—Messrs. Baker, Beal, Bracewell, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jones, Kellogg, Lambert, LeLacheur, McCullough of Jackson, McCullough of Lee, Millard, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren and Mr. Speaker—38.

Absent, or not voting—Messrs. Clark of Johnson, Davis of Jasper, Gue and Jennings.

Mr. Goodrell moved that the railroad bill, and the whole subject matter be taken from the table and made the special order for Monday next, at 10 o'clock. Carried.

Mr. Kellogg offered the following resolution:

Resolved, That the committee on the judiciary be directed to enquire into the expediency of providing by law to prevent cruelty to animals, and particularly to prevent determined conservatism from torturing the Code by misconstruction; and also to prevent the devolution and receptivities of adjectives and substantive law.

Which was laid on the table.

BILLS INTRODUCED.

By Mr. Hall: house file No. 133, a bill for an act to prevent the taking of usurious interest, read first and second time, and referred to committee on judiciary.

By Mr. McCullough of Jackson: house file number 134, a bill for an act further defining the duties of notaries public, read first and second time, and referred to committee on judiciary.

By Mr. Ruddick: house file number 135, a bill for an act to establish a court of quarter sessions, and to provide for the election of a Judge of said court, &c., was read first and second time and referred to committee on county and township organizations.

Mr. Gillett asked leave to withdraw a bill reported back by him on yesterday, by mistake. Granted.

By Mr. Ellis: house file number 136, a bill for an act to amend section 1472 of the Code, was read first and second time.

Mr. Rees moved to lay on the table. Lost.

Mr. Baker moved that it be indefinitely postponed. Carried.

REPORTS OF COMMITTEES.

Your committee to whom was referred a resolution inquiring into the expediency of reporting a law submitting a proposition to the people of Iowa, to amend the Constitution, to wit:

By so amending section four of the bill of rights, as to prohibit Negroes and Mulattoes from giving evidence in courts of justice, have had the same under consideration, and a majority of the committee have directed me to report that they deem it inexpedient, and recommend its indefinite postponement.

NOBLE, Chairman.

Upon concurring in which report, Mr. Beal demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Clark of Jefferson, Conner, Cottle, Cowing, Crawford, Darling, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Haskall, Hoag, Hunt, Kellogg, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—57.

The nays were—Messrs. Beal, Bennett, Campbell, Clark of Des Moines, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jones, LeLacheur, McCullough of Lee, Price of Lee, Rees, Riddle, Robb, Stevens, Williamson of Warren—22.

Absent, or not voting—Messrs. Clark of Johnson, Claggett, Davis of Jasper, Gue, Jennings, Robinson, and Whitaker.

Report concurred in.

Mr. Paulk moved to reconsider the vote just taken, to indefinitely postpone.

Mr. Olaggett moved that the rules of the House be suspended, and when this House adjourn it adjourn till 9 o'clock to-morrow morning. Carried.

Mr. Olaggett then moved to adjourn, which was carried.

HALL OF REPRESENTATIVES,
February 3d, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Neal.

Journal of yesterday read and approved.

The question before the House was, upon the motion of Mr. Paulk, to reconsider the vote taken upon the report of the committee on constitutional amendments; which motion was lost.

Mr. Lambert moved that the Clerk of this House be instructed to procure the return of house file number 22 from the Senate, the passage of which was reconsidered by this House. Carried.

By leave, Mr. Robb called up substitute for senate file number 32, a bill for an act to amend chapter 156 of the Seventh General Assembly, entitled pre-emptions of school land, approved March 23d, 1858, which was read first and second time, and on motion, the rule was suspended and the bill read a third time, and upon the question shall the bill pass, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Bereman, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Denison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—76.

The nays were—None.

Excused—Bowdoin. Absent or not voting—Beal, Davis of Jas-

per, Gue, Gurley, Jennings, Merrill, Peet, Ruddick and Davis of Johnson.

The bill passed, and the title was agreed to.

REPORTS OF COMMITTEES.

The judiciary committee, to whom was referred house file number 35, a bill providing for the redemption of real and personal property sold under execution, and house file number —, an act relating to foreclosure of mortgages on real property, and for the issuing of executions, have had the same under consideration, and a majority of said committee have instructed me to report back a substitute therefor, and recommend its passage.

CALDWELL, Chairman.

Which report was received.

Mr. Claggett offered a substitute for the substitute of the chairman of the committee on judiciary.

Mr. Claggett moved to lay the matter on the table.

Mr. Peet moved to amend, by making it the special order, in committee of the whole, at 2 o'clock this afternoon. Lost.

Mr. Taylor moved that it be laid over till to-morrow morning, at 10 o'clock. Carried.

By leave, Mr. Dunlavey presented the petition of citizens of Davis county, asking for the passage of an appraisement and stay law; which was referred to the special committee on that subject.

The committee on ways and means, to whom was referred house file number 43, a bill for an act to amend an act entitled an act in relation to revenues, have had the same under consideration, and have directed me to report the bill back to the House, and recommend that it do not pass.

GURLEY, Chairman.

The committee on ways and means, to whom was referred house file number 4, a bill for an act making bank notes of the Bank of the State of Iowa, a legal tender for taxes, have had the same under consideration, and have directed me to report the bill back to the House, and recommend that it do not pass.

GURLEY, Chairman.

The committee on ways and means, to whom was referred house file number 5, a bill for an act to authorize the payment of taxes and interest on School Fund in bills of the State Bank of Iowa, have had the same under consideration, and have directed me to report the bill back to the House, and recommend that it do not pass.

GURLEY, Chairman.

The committee on enrolled bills beg leave to report that they have examined house file number 79, an act making appropriations for furniture and improvements in the Capitol building, and find the same correctly enrolled.

J. W. DENNISON, } Committee.
J. E. WILLIAMSON, }

Mr. Cowing, from the committee on engrossed bills, submitted the following report :

The committee on engrossed bills beg leave to report that they have examined the following bills, and have found the same correctly engrossed :

House file number 102, an act defining the duties of Sheriffs and Clerks, in relation to executions and writs of attachment served and executed out of the county where issued.

House file number 63, an act to amend an act of the 7th session of the General Assembly of Iowa, entitled the revenue law, approved March 23d, 1858.

House file number 20 a bill for an act in relation to judgment liens.

House file number 54, an act to amend section 37, chapter 152, of the acts of the 7th General Assembly, in relation to the duties of the County Court.

House file number 30, an act to legalize the election of the President and Town Council and others, officers of Chariton, Lucas county, and the official acts of the same.

House file number 21, an act to repeal part of chapter 79, of the Code, in relation to the conveyance of real estate.

The committee on claims, to whom was referred house file number 117, a bill for an act to pay a certain reward, heretofore offered by the Governor of the State of Iowa, have had the same under consideration, and submit the following report :

The committee find, by examination of the records in the office of Secretary of State, that on the 23d day of October, A. D. 1856, J. W. Grimes, then Governor of the State of Iowa, issued the following proclamation: "Whereas, two unknown persons were murdered in the county of Powesheik, in this State, on or about the 26th day of September last, which acts are supposed to have been perpetrated by two men, also unknown: now, therefore, I, James W. Grimes, Governor of the State of Iowa, do hereby offer a reward of one thousand dollars, for the apprehension and delivery of the guilty parties to the Sheriff of said Poweshiek county, or the sum of five hundred dollars, for the apprehension and delivery, as aforesaid, of either of them." The committee are of the opinion that there are but three points to be decided in this case: 1st, was the person delivered to the Sheriff of Powesheik county, the guilty person? 2d, is Thomas Morgan the person that arrested and delivered the said alledged murderer to the Sheriff of the county of Powesheik? and 3d, has the said Thomas Morgan ever received any part of the reward offered by the Governor, in his proclamation of October 23d, 1856? As to the first point, the committee are satisfied, from an examination of the testimony taken on the preliminary examination, that the person delivered to the Sheriff of said county, was one of the guilty parties. As to the second point, the committee are satisfied that the said Thomas Morgan is

the person that delivered the alledged murderer to the Sheriff of the county of Poweshiek: and as to the third point, from an examination of the records in the Auditor of State's office, the committee are satisfied that no part of said reward has ever been paid. Therefore, the committee, being satisfied that the said Thomas Morgan is justly entitled to the sum of five hundred dollars, for his services, have instructed me to report the bill back to the House, and recommend that it pass. All of which is respectfully submitted.

ED. WRIGHT, Chairman.

By Mr. Curtis: house file number 138, a bill for an act in relation to the trials in criminal cases; read first and second time, and referred to committee on judiciary.

By Mr. Baker: house file number 139, a bill for an act entitled an act to legalize the official acts of the city of Clinton, Clinton county, Iowa; read first and second time, and referred to committee on county and township organization.

By Mr. Whitaker: house file number 140, a bill for an act to prevent the County Judges from allowing money to be drawn from the county treasury for clerk hire; read first and second time, and referred to committee on judiciary.

Mr. Streeter moved that two members be added to the committee on roads and highways. Carried.

Mr. Speaker appointed Messrs. Reed and Gillett as additional members of said committee.

On motion, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Shipman offered the following resolution:

Resolved, That no one be admitted to the floor of this Hall, excepting members of the Senate, State officers, Ladies, Ministers, Reporters, and those especially invited by members of this House.

Which was adopted.

Mr. Bereman offered the following resolution:

Resolved, That the judiciary committee be instructed to report upon the railroad proposition, &c., on or before Monday morning, at 9 o'clock.

The committee on railroads, to whom was referred the resolution instructing them to inquire into the expediency of amending the law relating to the right of way, ask leave to report by bill; which report was received, and by Goodrell, house file number 137 was presented, a bill for an act amending chapter 81 of the laws of the 4th General Assembly of the State of Iowa, entitled an act granting to Railroad Companies the right of way; which was read a first time, and ordered to be printed.

By leave, Mr. Claggett presented the petition of citizens of Van Buren township, Lee county, asking to be connected with Jackson, Montrose and Des Moines, for judicial purposes; which was referred to the delegation from Lee county.

The committee on enrolled bills beg leave to report that they have examined house file number 39, a bill for an act providing for the payment of the pro tem. officers of the two Houses of the 8th General Assembly, and find the same correctly enrolled.

J. W. DENNISON,
J. E. WILLIAMSON.

By leave, Mr. Paulk offered the following resolution:

Resolved, That the committee on ways and means be instructed to report to this House, to-morrow morning, on house file number forty-six (46).

Which, on motion, was laid on table.

By leave, Mr. Gurley introduced house file number 141, a bill for an act legalizing the acts of the County Judge of Scott county, in purchasing real estate for a Poor-House Farm, and in issuing bonds in payment thereof; which was read first and second time, and referred to committee on judiciary.

Mr. Baker moved that when this House adjourns, it adjourn till 9 o'clock to-morrow morning. Carried.

On motion of Mr. Baker, the House adjourned.

HALL OF REPRESENTATIVES,
February 4th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Nash.

Journal of yesterday read and approved.

BILLS INTRODUCED.

By Mr. Wright: house file number 142, a bill for an act to amend chapter 46 of the acts of the 5th General Assembly; read first and second time, and ordered engrossed and read a third time on Monday.

By Mr. Rees: house file number 143, a bill for an act for the relief of tax-payers, in certain cases; read first and second time, and referred to committee on ways and means.

By Mr. Clark, of Johnson: house file number 144, a bill for an

act providing for the payment of taxes at the Capitol of the State, and to punish offences in connection therewith; read first and second time, and referred to committee on ways and means.

By Mr. Stanton: house file number 145, a bill for an act to repeal part of section 1, of chapter 152, of the revenue laws of the Seventh General Assembly; read first and second time, and referred to committee on ways and means.

By Mr. Reed: house file number 146, a bill for an act entitled an act in relation to revenues; read first and second time, and referred to committee on ways and means.

By Mr. Clark, of Johnson: house file number 147, a bill for an act to amend section 68 of an act entitled an act to amend an act entitled an act to provide a system of common schools, passed by the Board of Education December 24th, 1859; read first and second time, and referred to committee on schools and State University.

COMMUNICATIONS ON SPEAKER'S DESK.

A communication from the Secretary of State, relative to a resolution of enquiry by this House, with regard to the lease and title of the Capitol building, together with a copy of the lease of said building, was read and referred, on motion of Mr. Robb, to the select committee on Capitol building.

Communication from the Governor.

EXECUTIVE OFFICE, }
February 2d, 1860. }

Gentlemen of the House of Representatives:

I transmit to you herewith, a letter addressed to this office by the President of an association of gentlemen in London, (England,) styled the "American Association in London," accompanied by a circular from that association, explaining its objects and wishes, and I respectfully recommend that you confer upon me the authority to comply with the wishes of the association thus made known.

Should you take any action in the premises, I request that you will transmit these papers, with that action, to the senate, for the reason, that as I have been furnished with but one copy of the circular and letter, I cannot communicate the same to each house.

SAMUEL J. KIRKWOOD.

Referred to committee on State Library.

Messages from the Senate.

MR. SPEAKER:—I am directed by the senate to inform the house that the senate has amended the concurrent resolution in relation to an investigation into the affairs of the Penitentiary, by striking out all that part relating to visiting the Penitentiary, in all of which the concurrence of the house is asked; also, that the Presi-

dent has appointed as said committee on the part of the Senate, Messrs. Anderson and Coolbaugh.

J. H. SANDERS, Sec'y of Senate.

Which amendment was not concurred in.

MR. SPEAKER:—I am directed to inform the house that the senate has passed senate file number 4, a bill for an act in regard to the interest on delinquent taxes.

Also, senate file number 43, a bill for an act fixing the times of holding courts in the Second Judicial District.

I am also instructed to return to the house, house file number 79, a bill for an act making appropriations for furniture and improvements in the Capitol Building, the same having passed the senate without amendment.

I am directed to inform the house that the senate has passed the following bills:

Senate file number 54, a bill for an act to amend section 8, chapter 104, of session laws of 1853.

Also, senate file number 65, a bill for an act concerning appeals of causes from the District Court of Jefferson county, Iowa, to the Supreme Court.

Also, the following concurrent resolution:

Resolved, (The House of Representatives concurring,) That the Senate will meet the House of Representatives in their hall, in joint convention, at 9½ o'clock A. M., of Monday 6th inst., for the purpose of electing three Directors of the State Bank of Iowa, as provided in an act to incorporate the State Bank of Iowa, approved March 20th, 1858.

In all of which the concurrence of the house is asked.

J. H. SANDERS, Secretary of Senate.

Which joint resolution was concurred in.

RESOLUTIONS.

By Mr. Bowdoin:

Resolved, That the use of this hall be granted to the Rev. Dr. Totten, President of the State University, on Monday evening next, to lecture on the subject of the University, and University Education.

Adopted.

PETITIONS.

Mr. Claggett presented a petition of citizens of Lee county, praying for an additional clerk in the Recorder's office. Referred to delegation from Lee county.

Mr. Caldwell presented the petition of citizens of Van Buren county, praying for the organization of a new township in said county. Referred to committee on county and township organization.

Mr. Cowing presented the petition of William Crow and others, citizens of Poweshiek county, praying for the passage of a personal liberty bill. Referred to committee on federal relations.

Senate file number 4, a bill in relation to the interest on delinquent taxes, was read a first and second time, when Mr. Hunt offered a substitute.

The hour having arrived for the special order, the house went into committee of the whole to consider the bill in relation to redemption on mortgages, Mr. Wright in the chair. The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

Mr. Kellogg offered the following resolution:

Resolved, That when this house adjourns, it adjourn to 9 o'clock Monday morning.

Carried.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
February 6, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Mr. Wright, by leave of the House, offered the following resolution:

Resolved, By the House of Representatives, (the Senate concurring,) That the joint convention to convene at 9½ o'clock this day, for the purpose of electing the State Bank Directors, shall, immediately after said election, proceed to elect three Bank Commissioners, as required by section 33, of chapter 114, of the acts of the Seventh General Assembly.

Which was adopted.

Journal of Saturday read and approved.

Mr. Price, of Muscatine, offered the following resolution:

Resolved, That the 40th rule of the House be so amended as to read 9 o'clock A. M., instead of 10 o'clock A. M.

Which was read and laid over, under the rule.

BILLS ON THIRD READING.

House file number 102, a bill for an act defining the duties of Sheriff and Clerk, in relation to executions and writs of attachments served and executed out of the county where issued, was

read a third time, and on motion of Mr. Caldwell, was recommit-
ted to committee on judiciary.

House file number 117, a bill for an act to pay a certain reward heretofore offered by the Governor of the State of Iowa, was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Parker, Price of Lee, Price of Muscatine, Quinn, Reed, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Taylor, Tompkins, Whitaker, Withrow, Wright and Mr. Speaker—54.

The nays were—Messrs. Barnes, Campbell, Claggett, Doggett, Dunlavey, Gniffke, Goodrell, Hotchkiss, Jones, Le Lacheur, Millard, Paulk, Rees, Robinson, Stanton, Stevens, Williams, Williamson of Louisa, Williamson of Warren, Witter—20.

Absent, or not voting—Messrs. Bereman, Dennison, Ellis, Gurley, Jennings, Kellogg, McCullough of Jackson, Merrill, Noble, Peet, Riddle, Streeter.

The bill was lost—not having received a constitutional majority.

By leave, Mr. Claggett presented the petition of citizens of Lee county, praying for a law for the redemption of property sold under the foreclosure of mortgages.

Mr. Hall moved that the petition be referred to committee of the whole, when this subject is before them. Carried.

Mr. Williamson, of Warren, moved that the vote taken upon the passage of house file 117, be reconsidered ; which was carried, and on motion of Mr. Bennett, the bill was laid upon the table.

Mr. Wright moved that a committee of two be appointed to wait upon the Senate and inform that honorable body, that the House of Representatives was ready to meet them in joint convention, for the purpose of electing three Directors of the State Bank of Iowa, and three Commissioners for said State and Free Banks. Carried.

The Chair appointed Messrs. Wright and Bennett this committee.

Mr. Wright, from the above committee, after a few moments absence, reported that the duty assigned them had been discharged.

The Senate, preceded by their President, Sergeant-at-Arms and Secretary, entered the Hall of the House, after being duly announced, and took the seats assigned them; the President of the Senate acting as President of the joint convention, and the Chief Clerk of the House acting as Secretary.

The President announced the object of the meeting of the joint convention to be the election of three Directors and three Commis-

sioners for the State and Free Banks of Iowa, for the term of two years from and after the expiration of the term of the present incumbents, and until their successors are elected and qualified.

The Secretary was directed to call the roll, whereupon the following named gentlemen were found to be absent: Messrs. Anderson, Gray, Gurley, Haskall, Hastings, Jennings, Johnson, McCullough of Jackson, Peet, Ruddick, Taylor of Wayne, and Witter.

On motion, the absentees were excused.

Mr. Davis, of Polk, was appointed teller on the part of the Senate.

Mr. Williamson, of Warren, was appointed teller on the part of the House.

The President announced that the joint convention would now proceed to the election of three Directors for the State Bank of Iowa, and that nominations were now in order.

Mr. Mitchell nominated E. T. Edgington, of Lucas county.

Mr. Baker nominated R. Bonson, of Dubuque county.

Mr. Merrill nominated R. G. Noble, of Clayton county.

The joint convention proceeded to vote, when it appeared that Messrs. E. T. Edgington, R. Bonson, and R. G. Noble, having received a majority of all the votes cast, were declared duly elected Directors of the State Bank of Iowa, for the term of two years from and after the expiration of the terms of their predecessors in office, and until their successors are elected and qualified.

Those gentlemen voting for Messrs. Edgington, Noble and Bonson, were—

Messrs. Angle, Ainsworth, Baker, Bailey, Barnes, Beal, Bemis, Bereman, Bennett, Blackford, Bowen, Bowdoin, Bracewell, Bremner, Brown, Bussey, Buechel, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Coolbaugh, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Clinton, Davis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Duncombe, Dunlavey, Edwards, English, Gillett, Glasgow, Gniffke, Green, Goodrell, Gue, Hall, Hagans, Harris, Hammer, Hedges, Hoag, Hotchkiss, Henderson, Hunt, Jennings, Jones, Kent, Kellogg, Lambert, Lewis, Le Lacheur, Lynch, Macomber, Mann, Mangold, McPherson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Neal, Parker, Paulk, Pusey, Patterson of Muscatine, Peet, Price of Lee, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Reed, Rankin, Rees, Riddle, Reiner, Robinson, Rosenkrans, Robb, Sabin, Saunders, Shipman, Sherradden, Stanton, Stevens, Streeter, Thompson, Taylor of Jones, Tompkins, Trumbull, Udell, Watson, Whitaker, Williams of Mahaska, Williams of Dubuque, Williamson of Louisa, Williamson of Warren, Wilson of Dubuque, Wilson of Jefferson, Withrow, Witter, Wright.

Those voting only for Bonson, were—Messrs. Green and Neal. Voting for Bonson and Noble only—Mr. Hall.

Absent—Gurley, Haskall, Hastings, McCullough of Jackson,

Ruddick and Scott. Excused—Anderson, Gray, Johnson, Taylor of Wayne.

Mr. Ellis voted for J. H. Sanders, C. Aldrich, and W. W. Maynard.

E. T. Edgington received 114 votes.

Reuben Noble received 116 votes.

Richard Bonson received 117 votes.

The President announced that the joint convention would now proceed to the election of three Bank Commissioners for the Free Banks of Iowa, and that nominations were in order.

Mr. Drummond nominated Thos. A. Graham, of Tama county.

Mr. Wilson, of Jefferson, nominated Wm. Bickford, of Jefferson county.

Mr. Baker, of Clinton, nominated John W. Ellis, of Davis county.

The convention proceeded to vote, when it appeared that Messrs. John W. Ellis and Thos. A. Graham each received 120 votes, and Wm. Bickford 119 votes.

Jesse Sheboin received 1 vote, by Mr. Patterson, of Muscatine.

Messrs. Ellis, Graham and Bickford, having received a majority of all the votes cast, were declared duly elected Commissioners of the Free Banks of Iowa, for the term of two years from and after the expiration of the term of the present incumbents, and until their successors are elected and qualified.

Those gentlemen voting were—

Messrs. Angle, Ainsworth, Baker, Bailey, Barnes, Beal, Berman, Bennett, Blackford, Bowen, Bowdoin, Bracewell, Bremner, Brown, Bussey, Buechel, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Connor, Coolbaugh, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Clinton, Davis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Duncombe, Dunlavey, English, Ellis, Gillett, Glasgow, Gniffke, Green, Goodrell, Gue, Gurley, Hall, Hagans, Haskell, Harris, Hammer, Hedges, Hoag, Hotchkiss, Henderson, Hunt, Jennings, Jones, Kent, Kellogg, Lambert, Lewis, LeLacheur, Lynch, Macomber, Mann, Mangold, McPherson, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Neal, Parker, Paulk, Pusey, Patterson of Muscatine, Price of Lee, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Reed, Rankin, Rees, Riddle, Reiner, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Saunders, Shipman, Sherradden, Stanton, Stevens, Scott, Streeter, Thompson, Taylor of Jones, Tompkins, Udell, Watson, Whitaker, Williams of Mahaska, Williams of Dubuque, Williamson of Louisa, Williamson of Warren, Wilson of Dubuque, Wilson of Jefferson, Withrow, Witter, Wright, and Mr. Speaker.

Excused—Messrs. Anderson, Gray, Johnson, Taylor of Wayne. Absent, or not voting—Messrs. Bemis, Caldwell, Hastings, Peet, and Trumbull.

The following certificates were then signed by the President of the Senate and the Speaker of the House of Representatives, and attested by the tellers of the Joint Convention.

HALL OF HOUSE OF REPRESENTATIVES, }
Des Moines, February 6, 1860, }

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Directors of the State Bank of Iowa, E. T. Edgington, having received a majority of all votes cast for said office, was declared duly elected Director of the State Bank of Iowa, for the term of two years from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.

JOHN EDWARDS,
Speaker of House of Representatives.

Attest: W. P. DAVIS,
Teller on part of the Senate.

J. E. WILLIAMSON,
Teller on part of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
Des Moines, February 6, A. D. 1860. }

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Directors of the State Bank of Iowa, Reuben G. Noble, having received a majority of all the votes cast for said office, was declared duly elected Director of the State Bank of Iowa, for the term of two years, from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.

JOHN EDWARDS,
Speaker of the House of Representatives.

Attest: W. P. DAVIS,
Teller on part of Senate.

J. E. WILLIAMSON,
Teller on part of House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
Des Moines, February 6, A. D. 1860. }

This will certify, That at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Directors of the State Bank of Iowa, R. Bronson having received a majority of all votes cast, was declared duly elected Director of the State Bank of Iowa, for the term of two years, from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.

JOHN EDWARDS,
Speaker of House of Representatives.

Attest: W. P. DAVIS,
Teller on part of Senate.

J. E. WILLIAMSON,
Teller on part of House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
Des Moines, February 6, A. D. 1860. }

This will certify, That at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Bank Commissioners, under the law authorizing general banking in the State of Iowa, John W. Ellis having received a majority of all the votes cast for said office, was declared duly elected one of said Commissioners for the term of two years, from and after the expiration of the term of his predecessor and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.

JOHN EDWARDS,
Speaker of the House of Representatives.

Attest: W. P. DAVIS,
Teller on part of Senate.

J. E. WILLIAMSON,
Teller on part of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, February 6th, 1860. }

This will certify, That, at an election by the Senate and House

of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Bank Commissioners, under the law authorizing general banking in the State of Iowa, Thos. A. Graham, having received a majority of all votes cast for said office, was declared duly elected one of said Commissioners, for the term of two years from and after the expiration of the terms of their predecessors, and until their successors are elected and qualified.

Signed in presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,

President of the Senate.

JOHN EDWARDS,

Speaker of the House of Representatives.

Attest: W. P. DAVIS, Teller on the part of Senate.

J. E. WILLIAMSON, Teller on part of House of Rep's.

HALL OF REPRESENTATIVES, }
Des Moines, February 6th, 1860. }

This will certify, That, at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Bank Commissioners, under the law authorizing general banking in the State of Iowa, William Bickford, having received a majority of all votes cast for said office, was declared duly elected one of said Commissioners, for the term of two years from and after the expiration of the terms of their predecessors, and until their successors are elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,

President of the Senate.

JOHN EDWARDS,

Speaker of the House of Representatives.

Attest: W. P. DAVIS, Teller on part of Senate.

J. E. WILLIAMSON, Teller on part of House of Rep's.

The President announced that the object for which the joint convention had met, had now been accomplished; whereupon, on motion of Mr. Curtis, the convention dissolved.

The Senate having retired to their chamber, the House was called to order, when, by leave, Mr. Clark, of Johnson, presented the following report:

The committee on judiciary, who were directed to inquire into the expediency of providing for the purchase of Dillon's Digest, &c., beg leave to report by annexed bill, and recommend the passage thereof.

By Mr. Clark, of Johnson: house file number 148, a bill for an

act to authorize the purchase and distribution of four hundred copies of Dillon's Digest, was read a first and second time, when Mr. Baker offered the following amendment to section third, by adding, "to be transmitted to their successors in office;" which was adopted, and, upon motion, the rule was suspended, the bill read a third time, when Mr. LeLacheur moved that the bill be recommitted. Lost.

Mr. Rosenkrans moved to reconsider the vote just taken, which was adopted, and the vote reconsidered; and on motion, the bill was re-committed.

On motion of Mr. Lynch, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The joint resolution from the Senate, relative to appointing a committee for investigating the affairs of the State Penitentiary, was taken up, when the House insisted upon its original resolution, and a committee of conference was appointed to meet a similar committee on the part of the Senate.

Messrs. Rosenkrans, Hedges and Shipman, were appointed by the Speaker, as such committee on the part of the House.

BILLS ON THIRD READING.

House file number 30, was taken up, being a bill for an act to legalize the election of President and Town Council, and other officers of Chariton, Lucas county, &c., was read a third time, and, upon the question, shall the bill pass, the yeas and nays were called, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Blackford, Bemis, Campbell, Clark of Johnson, Conner, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Goodrell, Gue, Haskell, Harris, Hoag, Hunt, Jennings, Jones, Lambert, Lynch, McCullough of Lee, Millard, Mitchell, Merrill, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Rees, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Withrow, Witter and Mr. Speaker—51.

The nays were—Messrs. Bereman, Caldwell, Clark of Jefferson, Claggett, Cottle, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Hall, Hedges, Hotchkiss, Le Lacheur, Mangold, McCullough of Jackson, Morehead, Peet, Reed, Riddle, Rosenkrans, Whitaker, Williamson of Louisa, Williamson of Warren—24.

Absent, or not voting—Bowdoin, Bremner, Clark of Des Moines, Doggett, Dennison, Gurley, Kellogg, Macomber, McQuinn, Robinson and Wright.

The bill passed, and the title was agreed to.

House file number 96, a bill for an act to exempt the homestead from taxation, was read a third time, and on motion, was indefinitely postponed.

House file number 4, a bill for an act to make bank notes a legal tender for the payment of State revenue, was read a third time, and Mr. Baker moved that the bill be postponed till 4th July; upon which, Mr. Millard demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Bemis, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Crawford, Curtis, Doggett, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Le Lacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Riddle, Robinson, Robb, Ruddick, Shipman, Stevens, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren—49.

The nays were—Messrs. Bowdoin, Barnes, Blackford, Cowing, Darling, Davis of Jasper, Davis of Johnson, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Quinn, Rees, Rosenkrans, Sabin, Stanton, Streeter, Tompkins, Williams, Withrow, Witter, Wright and Mr. Speaker—35.

Absent, or not voting—Bremner and Kellogg.

Motion prevailed.

House file number 5, a bill for an act to authorize the payment of taxes and interest on the School Fund, in bills of the State Bank of Iowa, was read a third time, when Mr. Bennett moved that the bill be postponed till the 4th July; upon which the yeas and nays were demanded by Mr. Millard, were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Bemis, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottle, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Gurley, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Robinson, Robb, Ruddick, Shipman, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren—57.

The nays were—Messrs. Bowdoin, Barnes, Blackford, Bremner, Cowing, Darling, Davis of Jasper, Glasgow, Goodrell, Gue, Haskell, Hoag, Hunt, Lambert, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Quinn, Rosenkrans, Sabin, Stanton, Streeter, Tompkins, Withrow, Witter, Wright, and Mr. Speaker—30.

Absent, or not voting—Clark of Jefferson, Crawford, Kellogg, Rees and Riddle. The motion prevailed.

JOURNAL OF THE
ENROLLED BILLS.

The committee on enrolled bills beg leave to report that they have examined house file number 28, an act to legalize the acts of George S. C. Dow, as Notary Public, in Scott county, Iowa; and house file number 81, an act authorizing the district courts, or the judges thereof, to change the venue in criminal prosecutions, in certain cases, and find both bills correctly enrolled.

J. W. DENNISON,
J. E. WILLIAMSON.

By leave, house file number 117 was taken from the table, and on motion of Mr. Withrow, was re-committed to committee on claims.

House file number 43, a bill for an act to amend an act in relation to revenue, was read a third time, and on motion of Mr. Baker, was laid on the table.

House file number 97, a bill for an act to repeal part of section 2705, chapter 145, of the Code, was taken from the table, and upon the question, shall the bill pass?

Mr. Claggett moved a call of the House; pending which, Mr. Beal moved that further proceedings under the call be dispensed with. Carried.

Mr. Baker moved that the House adjourn. Lost.

The question being upon the passage of the bill, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bracewell, Blackford, Bemis, Bremner, Clark of Jefferson, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gue, Gurley, Haskell, Hoag, Hunt, Jones, Lambert, Lynch, McQuinn, Millard, Merrill, Morehead, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright—48.

The nays were—Messrs. Beal, Bereman, Bowdoin, Barnes, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Doggett, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Hall, Harris, Hedges, Hotchkiss, Jennings, Kellogg, Le Lacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Moser, Noble, Peet, Price of Lee, Riddle, Robinson, Robb, Ruddick, Taylor, Whitaker, Williamson of Warren, Mr. Speaker—43.

The bill was lost.

Mr. Baker moved that when this House adjourns, it adjourn till 9 o'clock to-morrow morning. Carried.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
February 7, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Teeter.

Journal of yesterday read and approved.

Mr. McCullough, of Lee, offered the following resolution:

Resolved, That the committee on agriculture be instructed forthwith to inquire into the expediency of repealing the act establishing an Agricultural College, and report by bill or otherwise.

Which was adopted.

Mr. Macomber presented the petition of citizens of Adams county, asking a certain amount of improvements to be exempted from taxation; which was referred to committee on agriculture.

Mr. Caldwell asked leave to take up senate file number 48, which was granted. The bill was read a first and second time, and the following amendments concurred in:

In addition to section 1, add: *Provided*, That the first term of court in said county after the taking effect of this law, shall be held on the tenth Monday after the first Monday in March, 1860; and in addition to the section relative to Albia, in Monroe county, "*Provided*, That the first term of court in said county next after the taking effect of this law, shall be held on the first Monday in March, 1860.

The rules were suspended, the bill, as amended, read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Mosser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Wright and Mr. Speaker—74.

The nays were—None

Absent, or not voting—Messrs. Blackford, Clark of Jefferson, Clark of Des Moines, Dennison, Gurley, Jennings, Kellogg, Merrill, Peet, Quinn, Rosenkrans and Witter.

The bill passed, and the title was agreed to.

Senate file number 52, a bill for an act relative to the Keokuk, Fort Des Moines and Minnesota Railroad Company, was read a

first and second time, and the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were called, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Bemis, Bremner, Campbell, Clark of Des Moines, Claggett, Doggett, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Stanton, Whitaker, Williams, Williamson of Warren, Withrow and Mr. Speaker—50.

The nays were—Messrs. Bowdoin, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Hunt, Lambert, Lynch, Millard, Morehead, Riddle, Ruddick, Sabin, Stevens, Streeter, Tompkins, Wright—25.

Excused—Conner, Curtis, Gurley, Hall, LeLacheur, Taylor, Williamson of Louisa. Absent, or not voting—Bereman, Haskall, Merrill, and Peet.

The bill passed, and the title was agreed to.

By leave, Mr. Rosenkrans presented the petition of citizens of Webster and Hamilton counties, asking to have the State secure to them certain school lands, granted under contract; which was referred to committee on Des Moines River Improvement.

Mr. Gillett presented the petitions of citizens of Hancock, Wright and Winnebago counties, asking for changes in the boundaries of said counties. Referred to the committee on new counties.

Mr. Witter offered the following resolution:

Resolved, That certain resolutions in relation to the Blind Asylum, at Vinton, be taken up and recommitted to the committee on charitable institutions, with authority to examine H. W. Gray, in reference thereto.

Mr. Baker offered the following amendment to said resolution:

Resolved, That said committee have power to send for persons and papers, and make such investigations as may be deemed necessary for a full understanding of the case.

Which was adopted.

The resolution as amended, was then adopted.

The hour having arrived for the special order of the day, the house went into a committee of the whole, to take up the Governor's Inaugural Address—Mr. Curtis in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock P. M., which was concurred in, and upon motion, the house adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Cowing moved to reconsider the vote taken on yesterday, on house file number 97; which was, by agreement, postponed till to-morrow.

On motion of Mr. Gillett, house number 113 was taken from the table, and on his motion was referred to the committee on township and county organization.

Mr. Gillett then moved that three more members be added to the committee on township and county organization. Carried.

The Chair appointed Messrs. Paulk, Robb and Wright, as said additional members of the committee on township and county organization.

The house then went into committee of the whole pursuant to adjournment; Mr. Goodrell in the Chair.

The committee rose, reported progress, and asked leave to sit again.

Mr. Goodrell moved to amend by adding, at 2 o'clock P. M. to-morrow.

Mr. Noble moved to amend the amendment by striking out 2 o'clock P. M. to-morrow, and inserting 7 o'clock this evening. Carried; and the report of the committee as amended, was concurred in.

Mr. Kellogg moved that when this house adjourns, it adjourn till 7 o'clock this evening. Carried.

On motion, the house adjourned.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

The special order of the hour was taken up in committee of the whole; Mr. Noble in the Chair.

The committee rose, reported progress, and asked leave to sit again Thursday evening at 6½ o'clock; which report was concurred in, and on motion of Mr. Bennett, the house adjourned.

HOUSE OF REPRESENTATIVES, }
February 8, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

The journal of yesterday read and approved.

Mr. Stanton moved to take up house file number 33, a bill for an act in relation to the organization of new counties. Lost.

Mr. Claggett presented the petition of citizens of the city of Keokuk, praying for a law limiting the corporation boundaries of the city of Keokuk. Referred to committee on judiciary.

Mr. Claggett presented the memorial of citizens of Webster county, remonstrating against paying the school funds now loaned in the different counties into the State Treasury. Referred to committee on judiciary.

Mr. Streeter presented the petitions of citizens of Worth, Hancock and Winnebago counties, asking for a change in the county boundaries; which were referred to committee on county and township organization.

Mr. Streeter presented a petition from citizens of Worth county, legalizing Hartland township. Referred to committee on judiciary.

By leave, Mr. Streeter introduced house file number 149, a bill for an act to change the boundaries of the counties of Worth, Winnebago and Hancock counties; which was read first and second time, and referred to committee on county and township organization.

Mr. Wright presented the petition of citizens of Cedar county, asking the abolition of the County Judge system, and to establish a Board of County Commissioners or Supervisors, &c., &c.; which was referred to committee on county and township organization.

Mr. Wright presented the petition of Joel Bean, and 203 others, asking for the abolition of the death pealty.

Also, by Mr. Clark, of Johnson, a petition of John Dean, and 38 others, on the same subject.

It was moved by Mr. Wright, that these petitions be referred to committee on judiciary, with instructions to report by bill, in accordance with the prayer of the petitions. Upon which question Mr. Wright demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Barnes, Blackford, Bremner, Crawford, Curtis, Doggett, Gniffke, Gue, Hall, Haskell, Harris, Hoag, Hunt, Jones, Lambert, Lynch, Macomber, McCullough of Jackson, Millard, Mitchell, Morehead, Noble, Parker, Price of Lee, Price of Muscatine, Quinn, Shipman, Stanton, Streeter, Whitaker, Withrow, Wright—34.

The nays were—Messrs. Beal, Bowdoin, Bracewell, Bennett, Bemis, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Cottle, Cowing, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gurley, Hedges, Hotchkiss, Jennings, LeLacheur, Mangold,

McCullough of Lee, Merrill, Moser, Paulk, Peet, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—46.

Absent, or not voting—Conner, Davis of Johnson, Kellogg, McQuinn, Stevens and Witter.

Motion lost.

Mr. Wright moved that he have leave to withdraw his petition; which was granted.

Mr. Gue presented the petition of citizens of Scott county, asking for a change in the usury law, an appraisement law, &c., &c.; was referred to the special committee on appraisement law.

Mr. Gue presented the petition of citizens of Clinton and Scott counties, asking a change in the county and township organization; which was referred to committee on township and county organization.

Mr. Peet presented the petition of Daniel Leonard and seventy-two others, citizens of Delaware and Buchanan counties, asking for a township organization. Referred to the committee on township and county organization.

By consent, senate file number 44, being a substitute for senate files numbers 44 and 67, was taken up and read first and second time, and referred to the delegation from the third Judicial District.

Mr. Bowdoin offered the following resolution:

Resolved, That Rev. Dr. Totten be requested to furnish a copy of his Address on the subject of the State University, and University Education, for publication, and that fifteen hundred copies of the same be printed, under the direction of the Clerk, for the use of this Assembly.

Mr. Hall moved to amend by inserting 6000 copies; which amendment was adopted.

Mr. Jennings moved to amend by inserting, the usual number, for the use of the house; which was lost, and upon the adoption of the resolution, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Bracewell, Bremner, Caldwell, Clark of Johnson, Davis of Johnson, Gniffke, Hall, Hedges, Hoag, Lynch, Macomber, McQuinn, Millard, Merrill, Parker, Peet, Robinson, Robb, Sabin, Williams, Withrow, Witter, and Mr. Speaker—25.

The nays were—Messrs. Beal, Barnes, Blackford, Bemis, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Denison, Ellis, Gillett, Glasgow, Gue, Gurley, Haskall, Harris, Hotchkiss, Hunt, Jennings, Jones, Lambert, Le Lacheur, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Morehead, Moser, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed,

Rees, Riddle, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren—53.

Absent, or not voting—Messrs. Bereman, Bennett, Conner, Dunlavey, Goodrell, Kellogg, Noble and Wright.

Resolution lost.

Mr. Mitchell offered the following resolution :

Resolved, That the use of this hall be given to the use of the Legislative Farmer's Club, every Wednesday evening during the session, when not required for legislative purposes.

Adopted.

Mr. Price, of Muscatine, offered the following resolution :

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of repealing section 2528, chapter 136 of the Code, or so much thereof as requires the fees of District Clerks to be paid in advance.

Also, as to paying District Clerks by fees instead of salaries, and of a reduction of the same.

Also, of reducing Sheriff's fees.

Adopted.

Mr. Morehead offered the following resolution :

Resolved, That the committee on judiciary be requested to inquire whether the property of railroads should not be taxed like that of individuals as the constitution provides.

Adopted.

Mr. Mitchell offered the following resolution :

Resolved, That the committee on ways and means be instructed to enquire into the expediency of providing by law for the State to bid in all real estate sold on account of taxes due the State and Counties; if not otherwise, with the same rules to be applied to redemption as between individuals, and to report by bill or otherwise.

Mr. Baker offered the following resolution :

Resolved, That the Rev. Dr. Totten be requested to furnish a copy of his address on Schools and University Education, and that the Clerk be directed to procure 2000 printed copies for the use of the House.

Mr. Hall moved to amend by striking out 2000, and inserting one for each school and sub-district in the State.

Mr. Claggett moved to amend the amount by making the number one thousand. Lost.

Mr. Hall's amendment was also lost.

The question then being upon the original resolution, the yeas and nays were ordered and were as follows.

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bremner, Caldwell, Clark of Johnson, Conner, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gniffke, Gurley, Hedges, Hoag, Hotchkiss, Hunt, LeLacheur, Lynch, Macomber, McQuinn,

Millard, Merrill, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Robb, Shipman, Tompkins, Williams, Williamson of Warren, Withrow, Wright and Mr. Speaker—41.

The nays were—Messrs. Bereman, Barnes, Bennett, Blackford, Bemis, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Cottle, Cowing, Crawford, Curtis, Daggett, Darling, Ellis, Gillett, Glasgow, Gue, Hall, Haskell, Harris, Jennings, Jones, Lambert, Mangold, McCollough of Jackson, McCollough of Lee, Mitchell, Morehead, Moser, Price of Lee, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Whitaker, Williamson of Louisa—42.

Absent, or not voting—Goodrell, Kellogg, Witter.

Lost.

Messages from the Senate.

MR. SPEAKER:—I am directed to inform the House, that the Senate has passed substitute for senate files numbers 44 and 67, a bill for an act to fix the times of holding courts in the 3rd judicial district.

Also, that the Senate has concurred in the amendments made by the house to senate file number 43, a bill for an act fixing the times of holding courts in the 2d judicial district.

Also, that the Senate has passed senate file number 74, an act to pay the claim of Wm. McHargue; in which the concurrence of the House is asked.

I also return house substitute for house files numbers 14 and 51, a bill for an act allowing a bounty upon the scalps of certain animals, the same having passed the Senate without amendment.

I am also directed to inform the house that the Senate has appointed Senators Bailey and Wilson of Jefferson, a committee to act with a similar committee on the part of the house, on the disagreement of the two houses in relation to the concurrent resolution of inquiry into the affairs of the Penitentiary.

Also, that the Senate has passed senate file number 52, a bill for an act relative to the Keokuk, Ft. Des Moines and Minnesota Rail Road Company, in which the concurrence of the house is asked.

I also return to the house house file number 81, a bill for an act authorizing the District Court, or the Judge thereof, to change the venue in criminal prosecutions in certain cases.

Also, house file number 28, a bill for an act to legalize the acts of Geo. S. C. Dow, as Notary Public, in Scott county, Iowa, the same having passed the Senate without amendment.

I am further directed to inform the house that the Senate insists on its amendment to the concurrent resolution in relation to the Penitentiary.

In all of which the concurrence of the house is asked.

J. H. SANDERS, Secretary.

The resolution of Mr. Price of Muscatine, relative to the 40th rule of the house was taken up and adopted.

Mr. Beal offered the following resolution :

Resolved, That the Sergeant-at-Arms be instructed to procure and place upon the dome of the Capitol the American Flag.

Adopted.

Mr. Gillett, from the committee on new counties, asked that the petitions from citizens of Wright, Hancock and Winnebago counties, asking for alterations in the boundaries of their counties, be referred to committee on county and township organization.

The petitions were so referred.

Mr. Clark, of Johnson, offered the following resolution :

Resolved, That the committee on ways and means be directed to inquire into the expediency of so amending the existing revenue law, that

First. Railway and other companies shall be taxed in each county in this State for that part of their road or other improvements lying in such county.

Second. That real property shall be listed and valued in each year, and sold each year for the delinquent taxes of the preceding year, with taxes for any previous year for which no sale has been had.

Third. That delinquent taxes shall bear interest at the rate of 10 per cent. until sale or offer to sell, after which time they shall bear interest at 25 per cent up to redemption, or until titles complete in the purchaser.

And that said committee be further directed to incorporate the foregoing or either proposition which they may deem expedient, in such law as they may hereafter report.

Which was adopted.

Mr. Baker offered the following resolution :

Resolved, That the Rev. Dr. Totten be requested to furnish a copy of his address on Schools, and that the Clerk be directed to procure 500 copies for the use of the House.

Mr. Ellis moved to amend by striking out 500, and inserting 2500.

Mr. Hall moved to lay the resolution on the table.

Mr. Clark of Jefferson, moved to indefinitely postpone the whole matter, upon which the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Barnes, Blackford, Bemis, Clark of Jefferson, Cottle, Curtis, Gillett, Glasgow, Gue, Harris, Jones, Lambert, Moser, Price of Lee, Quinn, Riddle, Rosenkrans, Stanton, Whitaker, Williamson of Louisa—20.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Connor, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gurley, Hall, Haskell, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn,

Millard, Mitchell, Morehead, Noble, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Robb, Ruddick, Sabin, Shipman, Stevens, Streeter, Tompkins, Williams, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—63.

Absent, or not voting—Messrs. Doggett, Kellogg, Merrill.

Motion lost.

Mr. Hall moved to reconsider the vote taken upon printing 2000 copies, which was carried.

And the original motion for printing 2000 copies was again taken up, when Mr. Lambert moved to amend by adding "the same number of Dr. Rauch's address." Amendment lost.

The question then being upon the original resolution, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Bremer, Caldwell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gurley, Hall, Hedges, Hoag, Hotchkiss, Hunt, LeLacheur, Lynch, Macomber, McCullough of Jackson, McQuinn, Millard, Merrill, Morehead, Noble, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Robb, Shipman, Tompkins, Williams, Williamson of Warren, Withrow, Witter, Wright, Mr. Speaker—50.

The nays were—Messrs. Barnes, Bennett, Blackford, Bemis, Campbell, Clark of Jefferson, Cottle, Cowing, Curtis, Doggett, Darling, Gillett, Glasgow, Gue, Haskell, Harris, Jennings, Jones, Kellogg, Lambert, Mangold, McCullough of Lee, Mitchell, Moser, Price of Lee, Quinn, Riddle, Rosenkrans, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Whitaker, Williamson of Louisa—35.

Absent, or not voting—Kellogg.

Resolution adopted.

The select committee to whom was referred house files numbers 8 and 27, bills for appraisement of property on execution : also, petitions for and against such laws, beg leave to report by bill, herewith, a substitute for house files numbers 8 and 27, and the majority of the committee recommend the passage thereof.

By Mr. Clark, of Johnson : house file number 150, a bill for an act providing for the appraisement of property taken on execution, was read the first and second time and 400 copies ordered printed.

Senate file number 10, was, on motion of Mr. Merrill, taken up, being a bill for an act to amend section 1240 of the Code of Iowa, and was referred to committee on judiciary.

On motion of Mr. Bennett, the House adjourned.

HALL OF REPRESENTATIVES, }
February 9th, 1860. }

House met pursuant to adjournment.
Prayer by Rev. Mr. Young.
Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

The judiciary committee, to whom was referred a resolution directing an enquiry into the expediency of reporting a bill abolishing all laws for the collection of unsecured debts to the amount of one hundred dollars, have had the same under consideration, and have instructed the undersigned to report that they deem it inexpedient to report a bill for the purpose contemplated in said resolution.

J. C. CURTIS, from Jud. Com.

Which report was concurred in.

Mr. Cowing, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills beg leave to report, that they have examined house file number 142, an act to amend chapter 46, of the acts of the 5th General Assembly, and find the same correctly engrossed.

The committee on agriculture, to whom was referred a bill in relation to the levee on Muscatine island, have had the matter under their consideration, report the following bill, and recommend its passage.

B. F. GUE, Chairman.

By Mr. Gue: house file number 151, a bill for an act to amend an act entitled an act to provide for levying a tax on certain lands to complete and keep in repair a levee on Muscatine island, and for the election of a levee Commissioner to superintend the same, was read first and second time, ordered engrossed, and to be read a third time on to-morrow.

The committee, to whom was referred the memorial and joint resolution for a grant of land to aid in the construction of a railroad from the terminus of the St. Joseph and Council Bluffs Railroad to Minnesota, report the same back, and recommend its adoption.

S. GOODRELL, Chairman.

Which report was received, the joint resolution read a second time, and ordered engrossed, and to be read a third time to-morrow.

The judiciary committee, to whom was referred the petition of E. G. Patten, and others, praying protection against the incursions of certain trespassers, have had the same under consideration, and have instructed the undersigned to report, that after a thorough

investigation of the grievances complained of, and the remedies already provided by law, therefore, your committee are of opinion, unanimously, that no further legislation is necessary, as ample provision is made for the punishment of all the crimes and misdemeanors mentioned in said petition. But, lest your committee should be mistaken in their judgment, and the petitioners be denied such relief as their distressed circumstances imperatively demand, your committee would recommend that said petition be read for the calm and most solemn consideration of this House.

J. C. CURTIS, from Com. on Judic.

Which report was concurred in.

The committee of conference, appointed on the part of the House to confer with a similar committee on the part of the Senate, in reference to the disagreement of the two Houses on a joint resolution to appoint a committee to investigate into the affairs of the Iowa State Penitentiary, would beg leave to report, that a majority of said committee of conference report in favor of the Senate amendment.

S. B. ROSENKRANS,	} Committee.
GEO. C. SHIPMAN,	
N. G. HEDGES.	

Which report was concurred in.

The committee on ways and means, to whom was referred house file number 146, a bill for an act to amend an act entitled an act in relation to revenues, approved March 23d, 1860, have had the same under consideration, and have directed me to report the bill back to the House, and recommend that it do not pass.

W. H. F. GURLEY, Ch'm.

Which report was received.

The committee on enrolled bills ask leave to report that they have handed to the Governor, for his signature, house file number 39, an act providing for the pay of pro tem. officers of the two Houses of the Eighth General Assembly.

Also, house file number 28, an act to legalize the acts of George S. C. Dow, as Notary Public, in Scott county, Iowa.

Also, house file number 81, an act authorizing the district courts, or the judges thereof, to change the venue in criminal prosecutions, in certain cases.

J. W. DENNISON, Chairman.

The committee on enrolled bills ask leave to report that they have examined substitute for house files 14 and 51, an act allowing bounty upon the scalps of certain animals, and find the same correctly enrolled.

J. W. DENNISON,
J. E. WILLIAMSON.

The majority of the judiciary committee, to whom was referred house file number 112, a bill for an act to resume all rights con-

ferred upon Iowa Central Railroad Company, by an act approved July 14th, 1856, submitted their report.

The minority of the judiciary committee also submitted their report on the same subject.

Mr. Rees moved that the reports be laid on table and printed.

Mr. Bremner moved that the reports be referred to a committee of the whole, and be made the special order now.

The question being upon the motion to lay on table and print, it was lost.

Mr. Hall renewed the motion to refer the reports to committee of the whole, and make the special order of to-day. Carried.

Mr. Caldwell moved that leave of absence be granted to Mr. Williamson, of Warren.

Mr. Lambert moved the same for Mr. Hunt, and Mr. Cowing for Mr. Rees; all of which were granted.

Mr. Mitchell asked leave to submit the following report:

MR. SPEAKER:—The committee to whom was referred that part of the Governor's Message that referred to the Des Moines River Improvement, have had the same under consideration, and after careful examination of that part referring to certain disputed lands therein referred to, have instructed me to report the accompanying bill, and recommend that it pass.

I. C. MITCHELL, Chairman.

By leave, Mr. Mitchell introduced house file number 152, a bill for an act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Improvement, as school lands.

The House went into committee of the whole on the railroad bill and reports; Mr. Wright in the Chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock; which report was concurred in.

Mr. Shipman moved to reconsider the vote by which the Sergeant-at-Arms was on yesterday instructed to provide an American Flag for the Capitol. Lost.

On motion, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Macomber called up substitute for senate files 44 and 67, being a bill for an act to fix the times of holding courts in the 3d judicial district, when the following amendments were concurred in:

SEC. 2. All writs, processes and proceedings pending in any of said courts, and returnable at the terms now fixed by law, shall be deemed pending and returnable at the terms as fixed by this act,

and no suit, notice, recognizance, indictment or other proceeding, shall be quashed or held invalid by reason of this act, or by reason of the change of the terms of court hereby made.

SEC. 3. This act to be in force from and after its publication according to law.

Which were concurred in, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremer, Clark of Jefferson, Clark of Des Moines, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lambert, Le Lacheur, Macomber, Mangold, McCullough of Lee, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—70.

The nays were—None.

Absent, or not voting—Messrs. Caldwell, Campbell, Clark of Johnson, Claggett, Davis of Johnson, Jones, Kellogg, Lynch, McCullough of Jackson, McQuinn, Merrill, Peet, Rees, Robb, and Williamson of Warren.

The bill was passed, and the title was agreed to.

Mr. Gillett asked that leave of absence be granted to the committee on township and county organization, for the afternoon. Granted.

Mr. Sabin presented the following resolution:

Resolved, That the committee on public buildings be instructed to enquire whether the papers, books and records in the different offices in the Capitol building are safe from destruction by means of fire; and if not secure, to report to this House the best means of securing the same.

Mr. Baker offered the following as a substitute:

That the committee report a bill for the erection of a fire-proof building, suitable for the public records, and for the weights and measures furnished by the U. S. Government; to be erected in Capitol Square. Lost.

The question then being upon the original resolution, it was adopted.

The special order was then taken up, and the House went into committee of the whole; Dr. Witter in the Chair.

The committee rose, reported progress, and asked leave to sit again at 10 o'clock to-morrow morning; which report was concurred in.

Mr. Baker moved that when this House adjourns, it adjourn till 7 o'clock this evening. Carried.

On motion, the House adjourned.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

The House went into committee of the whole upon the Governor's Inaugural Address; Mr. Baker in the Chair.

The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

Mr. Bennett moved that the House go into committee of the whole on the same subject, on Monday next, at half past 6 o'clock, P. M. Carried.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
February 10th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Young.

Journal of yesterday read and approved.

The Speaker appointed Messrs. Dennison, Hall and Baker, the committee to investigate the affairs of the State Penitentiary, in connection with a committee on the part of the Senate.

COMMUNICATIONS ON SPEAKER'S DESK.

OFFICE OF SEC'Y OF IOWA STATE AG'Y. COL. AND FARM.

*To the Hon. the House of Representatives,
of the State of Iowa:*

Herewith I lay before your honorable body, the first annual report of the transactions of the office entrusted to me as Secretary of the Agricultural College of this State, for the years 1858 and 1859. The number printed for the use of both Houses, is 1,000 copies, all of which will be ready for delivery by Wednesday next.

The report required by law in regard to the administration of the trust imposed upon the Board of Trustees of the State Agricultural College and Farm, will be presented to the Legislature in a

few days, from the hands of a committee of their number, who have been entrusted with that duty.

I have the honor to be,

Very respectfully,

Your obedient servant,

WM. DUANE WILSON,

Sec'y Ag'l College.

Which, on motion, was laid on table.

AUDITOR'S OFFICE, IOWA, {
January, 1860. }

The special report of the Auditor of State, in response to the following resolution of your honorable body, to-wit:

"Resolved, That the State Auditor be requested to report to this House, the items of amount paid for Geological Survey, as stated on the 15th page of the Auditor's report, at \$33,032 59; and also, to whom paid, and for what service."

Also, a special report in response to the following resolution, to wit:

"Resolved, That the State Auditor be requested to report to this House, the items of \$19,800 70 for Frontier Army, as stated on page eighth of said Auditor's report."

Also, a special report in response to the following resolution, to wit:

"Resolved, That the State Auditor be requested to report to this House, the items of the amount, \$10,117 91, paid as "miscellaneous disbursements," on page nine of the Auditor's report, giving names of those to whom paid, amount, and for what service."

Also, a special report in response to the following resolution, to wit:

"Resolved, That the Auditor of State be required to report to this House, the items of amount of \$1,587 40, as stated on page 9 of his report, under the head of "general contingent fund," and for what purpose said sum was expended."

Also, a special report in response to the following resolution, to wit:

"Resolved, That the State Auditor be directed to report the items embraced in the sum of \$258,555 67, reported as paid out to Insane Asylum; to whom paid, and for what services or labor the same was paid."

Mr. Withrow moved that these reports be laid on the table.

Mr. Claggett moved to amend, and that 2,000 copies be printed; which amendment was accepted.

Mr. Darling moved to amend by striking out 2,000, and inserting 200. Lost.

The question being upon the original motion, it was adopted.

PETITIONS.

Mr. Bowdoin presented the petition of citizens of Chickasaw county, praying to obtain a grant of land to aid in building a railroad from McGregor, westward across the State; which were referred to committee on public lands.

Mr. Crawford presented memorials from citizens of Linn county, in behalf of the Dubuque, Marion & Western Railroad Company; which were referred to committee on railroads.

Mr. Curtis presented the petition of the Executive Board of the Central University of Iowa, at Pella, regarding the passage of an act authorizing them to borrow money for the payment of the debt upon said institution; which was referred to committee on schools and State University.

Mr. Cowing presented the petition of Wm. M. Head, and six hundred and thirty citizens of Poweshiek county, asking that the lands heretofore granted to the Air Line Company, and by that Company forfeited, may be transferred to the North Missouri, Iowa & St. Paul Railroad Company; which was referred to committee on railroads.

Mr. Glasgow presented the petition of citizens of Washington county, asking a law abolishing the office of County Judge, and inaugurating the Supervisor system; which was referred to committee on township and county organization.

By leave, Mr. Dennison presented house file number 153, a bill for an act requiring County Treasurers to pay county warrants in the order in which they are issued, was read a first and second time, and referred to committee on judiciary.

Mr. Caldwell presented the remonstrance of certain citizens of Van Buren county against the formation of a new township; which was referred to the committee on township and county organization.

By Mr. Williams: house file number 154, a bill for an act to facilitate the construction and operations of railroads; which was read a first and second time, and referred to committee on railroads.

By Mr. Williams: house file number 155, a bill for an act to amend an act entitled an act to authorize the Dubuque and Pacific Railroad Company, and others, to bridge the Mississippi River at Dubuque; which was read a first and second time, and referred to committee on roads and highways.

Mr. Noble presented a petition of citizens of Fayette county, asking for the reversion of the lands to the General Government, formerly ceded to the Air Line Railroad, and asking its diversion to the McGregor Railroad West. Referred to committee on public lands.

Mr. Ruddick presented the petition of citizens of Chickasaw county, asking that certain lands granted to certain railroads, may

revert to the General Government on certain conditions. Referred to committee on public lands.

Mr. Merrill presented the petition of citizens of Chickasaw county, asking that the Central Iowa Land Grant may revert to the General Government, on the passage of an equally liberal grant for a road from McGregor west through the State. Referred to the committee on public lands.

Mr. Stanton presented ten petitions from citizens of Mahaska county, asking for the prohibition of the sale of beer, wine and cider, and excluding distillers and brewers from selling under permits, &c. Referred to the select committee on that subject.

REPORTS OF COMMITTEES.

Your committee, to whom was referred a communication from the Governor, together with a communication from an Association in London styled, An Association of Gentlemen in London, England, have had the same under consideration, and have directed me to report by bill, and recommend its passage.

NOBLE, Chairman.

By Mr. Noble: house file number 156, a bill for an act relating to an American Association in London, England, was read first and second time, ordered engrossed, and to be read a third time on to-morrow.

The House then went into committee of the whole upon the railroad bill, Mr. Lambert in the chair. The committee rose, reported progress, and asked leave to sit again at 2 o'clock, P. M.; which was concurred in.

Mr. Jennings moved that the House adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, the following resolutions and bills were introduced:

Mr. Moser offered the following resolution:

Resolved, That the committee on ways and means be instructed to enquire into the expediency of changing the system of our present revenue law, so as to sell real estate the year after taxes become due, and changing the system of township assessment to county assessment.

Which was adopted.

Mr. Clark, of Johnson, offered the following resolution:

Resolved, That the committee on incorporations be, and they are hereby directed to report an amendment to the existing law, entitled (an act for the incorporation of cities and towns, section 33,) giving cities and towns authority to regulate and license, or

prohibit within their corporate limits, sales of any, and all kinds of property at public auction, other than judicial sales.

Which was adopted.

By Mr. Bracewell: house file number 157, a bill for an act to amend an act in relation to revenue, approved March 23d, A. D. 1858, was read first and second time, and referred to committee on ways and means.

By Mr. Bemis: house file number 158, a bill for an act entitled an act to define the powers and duties of county Surveyors, was read first and second time, and referred to committee on public lands.

By Mr. Price, of Muscatine: house file number 159, a bill for an act to prevent fraudulent incumbrances, transfers and conveyances of property. Read first and second time, and referred to judiciary committee.

By Mr. Baker: house file number 160, a bill for an act relating to the publication of certain laws. Read first and second time, and referred to committee on printing.

By Mr. Haskell: house file number 161, a bill for an act to regulate costs in certain cases, in the District Court. Read first and second time, and referred to committee on judiciary.

By Mr. Wright: house file number 162, a bill for an act to amend an act entitled an act to protect game, approved January 28th, 1857. Read first and second time, and referred to committee on agriculture.

Mr. Hall offered the following resolution:

Resolved, That the committee on judiciary enquire into and report to this house whether or not Edwin Manning, late Commissioner of the Des Moines River Improvement, had any authority to retain money paid to him by the Des Moines Navigation and Railroad Company, for the purpose of paying his personal expenses, or the expense of counsel, or the fees of counsel, at his discretion: whether he had a right to appropriate said money to make repairs on said improvement; what amount of money he has in his hands not legally disposed of; whether he did not, in defiance of law, hold on to and exercise the powers and duties of such office after his successor had been elected and qualified, and charge a salary during such time? that they report by bill or otherwise.

Which was referred to committee on judiciary.

Mr. Hoag presented the petition of citizens of Fayette county, asking the permanent location of the State Asylum for the deaf and dumb at Fayette; which was referred to committee on charitable institutions.

By Mr. Clark, of Johnson: house file number 163, a bill for an act to regulate the manner of administering oaths. Read first and second time, and referred to committee on judiciary.

By Mr. Hoag: house file number 164, a bill for an act to locate

an Asylum for the deaf and dumb of the State of Iowa. Read first and second time, and referred to committee on charitable institutions.

By Mr. Cowing: house file 165, a bill for an act to abolish the office of Reporter to the Supreme Court, as now existing, to provide for the election of a Reporter, and a speedy publication of the decisions of the Supreme Court, &c., &c. Read first and second time, and referred to committee on judiciary.

By Mr. Bereman: house file number 166, a bill for an act to provide for publishing the reports of the Supreme Court. Read first and second time, and referred to committee on judiciary.

The House then went into committee of the whole upon the railroad bill, Mr. Lambert in the chair.

The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
February 11, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of yesterday read and approved.

The messages were taken from the Speaker's desk.

Messages from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate file number 10, a bill for an act to amend section 1240, of the Code of Iowa.

Also, senate file number 50, a bill for an act concerning apprentices.

Also, senate file number 33, a bill for an act to amend chapter 107, of the acts of the 6th General Assembly, entitled an act to legalize the sale of school lands, made by John Jordon, School Fund Commissioner of Decatur county, Iowa.

I am also directed to return house file number 39, a bill for an act providing for the payment of the pro tem. officers of the 8th General Assembly, the same having passed the Senate without amendment.

I am further directed to inform the House, that the Senate has concurred in the concurrent resolution passed by the House, in

relation to furnishing the Code Commissioners with 50 copies of their report.

I also herewith present for your signature, senate file number 52, an act relative to the Keokuk, Fort Des Moines and Minnesota Railroad Company.

Also, senate file number 32, an act to amend chapter 156, of the 7th General Assembly, entitled Preemptors of School Lands, approved March 25th, 1858.

Also, senate file number 43, an act fixing the times of holding Courts in the 2d Judicial District, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

Senate file number 80, a bill for an act to release to Martin Mc-Hugo the right of the State by escheat, to a parcel of land in Henry county, in which the concurrence of the House is asked.

I also return to the House house file number 66, an act to declare the Little Sioux River navigable, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

ENROLLED BILLS.

The committee on enrolled bills beg leave to report that they have examined house file number 66, an act to declare the Little Sioux River navigable, and find the same correctly enrolled.

J. W. DENNISON, Chairman.

BILLS ON FIRST READING.

Senate file number 80, a bill for an act to release to Martin Mc-Hugo the right of the State, by escheat, to a parcel of land in Henry county, Iowa, was read a first and second time, and referred to committee on judiciary.

Senate file number 50, a bill for an act concerning apprentices, was read a first and second time, and referred to committee on judiciary.

Senate file number 33, a bill for an act to amend chapter 107 of the acts of the 6th General Assembly, entitled an act to legalize the sale of school lands made by John Jordan, School Fund Commissioner of Decatur county, was read first and second time, and referred to committee on public lands.

House file number 100, a bill for an act to amend section 530 of the Code, was read first and second time, the rules suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines,

Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Lambert, Le Lacheur, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—73.

The nays were—Mr. Paulk—1.

Absent, or not voting—Messrs. Olaggett, Gillett, Gniffke, Gurley, Hunt, Kellogg, Noble, Mangold, Peet, Rees, Tompkins, and Williamson of Warren.

The bill was passed, and the title was agreed to.

Senate file number 54, a bill for an act to amend section 8 of chapter 104, session laws of 1853, was read first and second time, and referred to committee on judiciary.

Senate file number 65, a bill for an act concerning appeals of causes from the district court of Jefferson county, Iowa, to the Supreme Court, was read first and second time, and referred to committee on judiciary.

Senate file number 74, a bill for an act to pay the claim of Wm. M. Hargue, was read first and second time, and referred to committee on claims.

House file number 101, a bill for an act to detect persons guilty of stealing cattle, and slaughtering them in the prairies, which was read first and second time, when Mr. Paulk moved that the bill be indefinitely postponed; which was lost.

Mr. Williamson moved that the bill be referred to committee on agriculture; carried.

By leave, Mr. Hall presented the petition of H. W. Sample, and others, citizens of Lee county, praying for the passage of a law to relieve debtors from having lands sold for less than two-thirds of their appraised value; which was referred to the committee on judiciary.

By leave, Mr. Davis, of Johnson, introduced house file number 167, a bill for an act to amend an act entitled an act to protect game; read first and second time, and referred to committee on agriculture.

By leave, Mr. Bereman introduced house file number 168, a bill for an act to amend an act in relation to revenue; was read a first and second time, and referred to committee on ways and means.

By leave, Mr. Davis, of Johnson, introduced house file number 169, a bill for an act to authorize the Secretary of the Board of Education to subscribe for an educational journal, for certain purposes; was read first and second time, and referred to committee on schools and State University.

By leave, Mr. Wright presented the petition of citizens of Cedar county, asking a change in county government; was referred to committee on township and county organization.

Mr. Goodrell moved that the House go into committee of the whole upon the railroad bill. Carried.

The House went into committee of the whole; Mr. Lambert in the Chair.

The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

Mr. Curtis offered the following resolution:

Resolved, That the Attorney General be requested to furnish this House with a written opinion on the following questions: 1st What title did the State receive from the General Government to the lands granted to aid in the construction of a railroad from Lyons City, north-westerly, to a point of intersection with the main line of the Iowa Central Air Line Railroad near Maquoketa, thence on said main line, running as near as practicable to the 42d parallel, across the State to the Missouri River? 2d—What title did said State convey to said Air-Line Company? 3d—Has the Company so far forfeited their contract, that the State has a right to resume all rights heretofore conferred upon said Company? 4th—If so, has the Legislature the power to resume without the intervention of the judiciary? 5th—If the Legislature attempts resumption, must she not first find the facts of forfeiture sufficient to justify it? 6th—Is the finding of these facts a judicial act, and therefore an infringement upon the constitutional power of the judiciary?

Mr. Stanton moved to lay the resolution upon the table; upon which Mr. Peet demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottle, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hoag, Jennings, Kellogg, Lambert, Lynch, Macomber, McQuinn, Mitchell, Merrill, Morehead, Parker, Price of Muscatine, Quinn, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—52.

The nays were—Messrs. Bennett, Blackford, Campbell, Olaggett, Cowing, Crawford, Curtis, Doggett, Dunlavey, Gniffke, Hotchkiss, Jones, Le Lacheur, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Moser, Noble, Paulk, Peet, Price of Lee, Reed, Sabin, Stevens, Streeter, Taylor, Williams—28.

Excused—Bereman. Absent, or not voting—Ellis, Hedges, Hunt, Rees, and Williamson of Warren.

Resolution adopted.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following resolution, in which the concurrence of the House is asked:

Resolved, (The House concurring,) That a joint committee of three on the part of the Senate, and four on the part of the House, be appointed to investigate the affairs of the Insane Asylum; and that they have power to send for persons and papers, and administer oaths, if necessary to a full investigation of the affairs of said Asylum; and that A. O. Patterson be chairman of said committee."

I am also directed to inform the House that Senators McPherson and Udell have been appointed to act with Mr. Patterson as said committee, on the part of the Senate.

J. H. SANDERS, Sec'y of Senate.

Mr. Withrow moved to take up the resolution of the Senate, relative to a joint committee to investigate the affairs of the Insane Asylum; which was adopted.

The resolution was concurred in.

Mr. Bennett moved to fill the blank with four names. Carried.

Messrs. Merrill, Taylor, Bemis and Hall were appointed the committee on part of the House.

Mr. Goodrell asked leave to be excused from serving on the committee on ways and means. Granted.

Mr. Cowing was appointed a member of the committee on ways and means.

RESOLUTIONS.

By leave, Mr. Clark, of Johnson, presented the following resolution:

Resolved, That the Code Commissioners be directed to transmit a copy of their report on criminal practice, to each Supreme and District Judge, and each District Attorney of the State, as early as practicable.

Which was adopted.

Mr. Baker offered the following resolution:

Resolved, That the report on expenses of the Insane Asylum, be referred to the select committee on the Insane Asylum; and that after examination, it shall be returned to the Clerk, who shall deliver the same to be printed.

Adopted.

On motion, the House adjourned.

HALL OF HOUSE OF REPRESENTATIVES,
February 13, 1860, }

House met pursuant to adjournment.
Prayer by the Rev. Mr. Chamberlain.
The Journal of yesterday read and approved.

COMMUNICATIONS ON SPEAKER'S DESK.

Message from the Senate.

MR. SPEAKER:—I am directed by the Senate to inform the House that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked :

Resolved, by the Senate, (the House concurring,) That when the usual number of copies of any bill are ordered printed by either branch of the General Assembly, they shall be delivered to the Post Master, who shall apportion the same equally among, and deliver to all the members of the General Assembly.

J. H. SANDERS, Secretary of Senate.

Which resolution was concurred in.

BILLS ON PASSAGE.

Substitute for house file number 33, being a bill for an act relating to the organization of new counties, was read a third time, when Mr. Harris moved that the bill be indefinitely postponed, upon which the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavy, Ellis, Gniffke, Goodrell, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, Moser, Noble, Paulk, Peet, Price of Lee, Reed, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker—38.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gue, Haskell, Hoag, Lambert, McQuinn, Millard, Mitchell, Merrill, Morehead, Parker, Price of Muscatine, Quinn, Rosenkans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker.—41.

Absent or not voting—Messrs. Campbell, Gurley, Hunt, Rees, Williams, Williamson of Warren, Wright.

Lost.

Mr. Baker moved that the bill be recommitted to committee on ways and means. Carried.

House file number 20, a bill for an act in relation to judgment liens, was read the third time and was, on motion, indefinitely postponed.

House file number 54, a bill for an act to amend chapter 152, section 7, of the acts of 1858, defining the manner and order of describing lands in the tax book, was read a third time, and on motion, laid on the table.

House file number 63, a bill for an act to amend an act of the 7th General Assembly of Iowa, entitled the revenue law, approved March 23, 1858, was read a third time, and on motion, laid on the table.

House file number 146, a bill for an act entitled an act in relation to revenues, was read a third time, and on motion, laid on the table.

House file number 142, a bill for an act to amend chapter 46 of the acts of the 5th General Assembly, was read a third time, and on motion of Mr. Baker, was referred to the committee on township and county organization.

Mr. Stanton moved that the petitions presented by him from the citizens of Mahaska county, and referred to the select committee on license law, be returned by said committee, and referred to committee on internal improvements. Carried.

REPORTS OF COMMITTEES.

Mr. Cowing, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills beg leave to report that they have examined the following bills, and have found the same correctly engrossed.

House file number 151, an act to amend an act to provide for levying a tax on certain lands, to complete and put in repair a levee on Muscatine Island, and for the election of a levee commissioner to superintend the same.

House file number 99, a Joint Memorial and Resolution, asking for a grant of land, to aid in the construction of a rail road as herein set forth.

House file number 156, an act relating to the American Association, in London, England.

PETITIONS.

Mr. Bowdoin, by leave, presented the petitions of citizens of Floyd county, praying for the resumption of lands granted to the Iowa Central Air Line Railroad Company by the General Government, or the passage of an equally liberal grant to the McGregor Company, was referred to the committee on public lands.

By leave, Mr. Wright presented the petition of citizens of Cedar

county, asking for alterations in county organizations, &c., &c., was referred to committee on county and township organizations.

By leave, Mr. Ellis presented the petition of citizens of Keokuk county, asking the appointment of an emigrant agent for the State of Iowa, in eastern cities, in order to encourage emigration to Iowa, which was referred to a select committee.

By leave, Mr. Gniffke presented house file number 170, a bill for an act to provide for the establishment of a Commissioner of Emigration for the State of Iowa, in the city of New York; was read a first and second time, and referred to committee on public lands.

By leave, Mr. Beal introduced house file number 171, a bill for an act authorizing the Attorney General of this State, to bring suit against any person or persons, company or association, who has placed any obstruction to navigation, and continues to maintain the same in or across the Des Moines river, or who shall hereafter place any obstruction to the free and easy navigation of said river as aforesaid; was read first and second time, and referred to a special committee of three.

By leave, Mr. Paulk presented the petition of citizens of Fayette county, asking that the lands formerly ceded to the Air Line Road may revert to the general government upon the passage of an equally liberal grant for a road from McGregor, West.

Also, petitions by Messrs. Noble and Ruddick, from citizens of Fayette county, on the same subject, all of which were referred to committee on public lands.

By leave, Mr. McQuinn presented the petition of citizens of Benton county, praying for the restoration of the liquor law of 1857, &c., which was referred to a select committee on that subject.

Mr. Morehead presented the petition of citizens of Washington county, asking the abolition of the office of County Judge, &c., &c.; referred to committee on county and township organization.

Mr. Glasgow presented the remonstrance of citizens of Washington county, against the passage of any law conferring power upon counties to aid in the construction of railroads, which was referred to committee on judiciary.

Mr. Wright presented the petition of citizens of Cedar county, asking the passage of a law giving redemption on foreclosures of mortgages, and for an Appraisalment Law, was on motion laid on the table.

REPORTS OF COMMITTEES.

Committee on enrolled bills ask leave to report that they have handed to the Governor for his signature, substitute for house file numbers 19 and 51, "an act allowing bounty on scalps of certain animals."

J. W. DENNISON, Chairman.

Also, house file number 66, "an act to declare the Little Sioux river navigable."

J. W. DENNISON, Chairman.

By leave, Mr. Jennings offered the following resolution:

Resolved, That the Secretary of State be, and hereby is instructed to inform this House of the number of copies of Clark's Supreme Court Reports that have from time to time been purchased by this State; the price paid for each copy thereof, and the amount of money, if any, that is remaining due and unpaid on the purchase of any of said reports.

Which was laid over, one day, under the rule.

Mr. Olaggett offered the following resolution:

Resolved, That Major A. G. A. Constable, of the British Army, have the use of this hall on Tuesday evening next, at half past six o'clock, for the purpose of lecturing on the condition of India.

Adopted.

Mr. Clark, of Des Moines, offered the following resolution:

Resolved, That the committee on the judiciary be requested to enquire into the expediency of a law to prevent the importation into this State, of thieves and convicts from the houses of refuge of other States, and report by bill or otherwise.

Carried.

Mr. Price, of Muscatine, offered the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of reporting a bill requiring Justices of the Peace, Judges of the Police Courts, and all other magistrates having jurisdiction over offences, punishable by fine or imprisonment, to enforce the penalties for minor offences, by labor upon the public highways.

Carried.

By leave, Mr. Mitchell introduced house file number 172, a bill for an act to amend section 417, of the Code; which was read first and second time, and referred to committee on county and township organization.

By leave, Mr. Caldwell presented the petition of citizens of Van Buren county, praying for the passage of a law requiring all persons who institute suits, either civil or criminal, before Justices of the Peace, to give security for the costs; was referred to committee on judiciary.

Mr. Bereman, by leave, presented the petition of the Board of Directors of Mount Pleasant School District, asking for changes in the school laws; was referred to committee on schools and university.

Mr. Baker moved that the special order of the day be taken up, when the house went into committee of the whole upon house file number 112, Mr. Lambert in the chair.

The committee rose and reported the bill back without amendment; which report the House concurred in.

Mr. Baker then moved the previous question, which was seconded. The question then being, shall the main question be put, was carried, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Conner, Cottle, Cowing, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Hall, Haskell, Harris, Hoag, Jones, Kellogg, Lambert, Macomber, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Parker, Price of Lee, Price of Muscatine, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter and Mr. Speaker—54.

The nays were—Messrs. Bereman, Bracewell, Clark of Des Moines, Claggett, Crawford, Curtis, Dunlavey, Gniffke, Gurley, Hotchkiss, Jennings, Le Lacheur, Mangold, McCullough of Jackson, Millard, Noble, Paulk, Peet, Quinn, Reed, Robinson, Stevens, Streeter, Taylor, Williams, Wright—26.

Absent, or not voting—Gue, Hedges, Hunt, Lynch, Rees and Williamson of Warren.

The bill passed, and the title was agreed to.

On motion of Mr. Claggett, house file number 35 was called up and made the special order for this afternoon, at 2 o'clock.

On motion, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The question was upon the substitute offered by Mr. Claggett to house file number 35.

Mr. Wright, for the committee on ways and means, asked leave of absence for a short time, for said committee. Granted.

Mr. Claggett moved a call of the House, pending which, Mr. Beal moved that further proceedings under the call be dispensed with. Lost.

The following gentlemen were absent:—Messrs. Cowing, Gurley, Jennings, Kellogg, Lambert and Taylor.

On motion of Mr. Beal, the absentees were excused.

Mr. Taylor moved that the last clause of the first section be struck out; which was accepted by Mr. Claggett.

Mr. Curtis moved to strike out all after the enacting clause in the first and third sections, and offered a substitute therefor; pending which, Mr. Streeter moved that when the House adjourns it adjourn till 7 o'clock this evening. Carried.

Mr. Baker asked leave of absence for Mr. Barnes; which was granted.

By leave, Mr. Lynch offered the following resolution:

Resolved, That each member of the House be entitled to six weekly copies of the Commonwealth, for distribution; which, on motion, was laid on the table.

On motion of Mr. Beal, the House adjourned.

7 O'LOOK, P. M.

House met pursuant to adjournment.

By leave, Mr. Lambert called up senate file number 94, a bill for an act to fix the times of holding courts in the fifth Judicial District of the State of Iowa; was read a first and second time, and referred to the delegation from the fifth Judicial District.

The Chair appointed the following select committees upon the petition presented to-day by Mr. Ellis:—Messrs. Ellis, Ruddick, Parker, Mangold, and LeLacheur.

Upon the bill introduced by Mr. Beal to-day, Messrs. Beal, Goodrell, Conner, Blackford, and Price, of Muscatine.

Mr. Goodrell moved that the substitutes and amendments to house file number thirty-five, (35,) be referred to a select committee, consisting of Messrs. Hall, Caldwell, Claggett, Jennings and Curtis, with instructions to report as early as possible. Carried.

The special order was then taken up, and the House resolved itself into a committee of the whole, upon the Governor's Inaugural, Mr. Baker in the chair.

The committee rose, reported progress, and asked leave to sit again on Thursday evening; which report was concurred in, and on motion the House adjourned.

HALL OF REPRESENTATIVES,
February 14th, 1860.

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

The journal of yesterday read and approved.

Mr. Baker moved that a reconsideration of the vote be had, whereby the mortgage bill was referred to a select committee.

Mr. Robb moved to lay the motion for reconsideration on the table. Lost.

The question being upon the reconsideration, was carried.

The question then recurred upon the motion to refer to a select committee, was lost.

Mr. Curtis' amendment to the first section of the bill was taken up; when Mr. Shipman moved to refer the whole matter to Messrs. Hall, Curtis and Claggett. Lost.

And upon the adoption of Mr. Curtis' amendment, the yeas and nays were called, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bennett, Blackford, Bemis, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gurley, Hall, Haskall, Hoag, Jennings, Lambert, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Price of Muscatine, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—50.

The nays were—Messrs. Bracewell, Bremner, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Goodrell, Gue, Harris, Hedges, Hotchkiss, Jones, LeLacheur, McCullough of Jackson, Millard, Moser, Parker, Paulk, Peet, Price of Lee, Quinn, Stevens—25.

Absent, or not voting—Barnes, Gniffke, Hunt, Kellogg, Lynch, McCullough of Lee, Noble, Rees, Robinson, Streeter and Williamson of Warren.

Mr. Curtis' amendment was adopted, and was as follows:

An act relating to foreclosure of mortgages on real property, and for the issuing of executions:

Sec. 1. *Be it enacted by the General Assembly of the State of Iowa,* That all the provisions of chapter 110, of the Code, relating to the redemption of real estate sold under execution, and all the rights therein guaranteed to defendants or junior incumbrancers, are hereby declared, in all cases, to be applicable to defendants in actions for the foreclosure of mortgages and junior incumbrances therein; and no form of decree shall prevent said defendant or junior incumbrancers, from redeeming said real estate agreeable to the provisions of said chapter 110, of the Code; anything in chapter 118, of the Code, or in chapter 24, of the acts of the 7th General Assembly, or in any other law or rule, to the contrary notwithstanding.

Mr. Jennings moved a reconsideration of the vote, whereby the use of this Hall was granted to Major Constable. Carried.

The original resolution was again adopted.

Mr. Clark, of Johnson, moved to strike out sections 2, 4 and 5, of substitute for house file number 35, and offered a substitute therefor.

Pending which, Mr. Baker moved when this House adjourns it adjourn till 9 o'clock to-morrow morning. Carried.

On motion of Mr. Bowdoin, Mr. Merrill was granted leave of absence for two weeks.

By leave, Mr. Lambert submitted the following report:

The committee composed of the delegates from the 5th judicial district, to whom was referred senate file number 94, fixing the time of holding Courts in the 5th judicial district of the State of Iowa, have had the same under consideration, and have directed me to report the same to the House without amendment, and recommend the passage of the bill.

L. LAMBERT, Chairman.

Which report was concurred in, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Blackford, Bowdoin, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—74.

The nays were—Mr. Dunlavey—1.

Absent, or not voting—Messrs. Barnes, Olaggett, Gniffke, Hunt, Kellogg, Lynch, Rees, Robinson, Shipman, Streeter and Williamson of Warren.

The bill passed, and the title was agreed to.

Messages from the Senate.

MR. SPEAKER:—I am directed by the Senate to inform your honorable body, that the Senate has concurred in the House amendments to substitute for senate files numbers 44 and 67, a bill for an act to fix the times of holding courts in the 3d judicial district.

Also, that the Senate has passed senate file number 94, a bill for an act to fix the times of holding courts in the 5th judicial district, in which the concurrence of the House is asked.

J. H. SANDERS, Secretary.

MR. SPEAKER:—I herewith present for your signature, substitute for senate files numbers 44 and 67, a bill for an act to fix the times of holding courts in the 3d judicial district, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Secretary.

Mr. Merrill was excused from serving on committee on Insane Asylum; and Mr. Noble was appointed in his stead.

Mr. Bereman, by leave, offered the following resolution:

Resolved, That the use of this Hall be tendered to Elder Joshua Swallow, on Thursday evening of next week, and also on Sunday evening following.

Adopted.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
February 15th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Rosenkrans moved to reconsider the vote taken on yesterday, whereby the amendment of Mr. Curtis to the first section of house file number 35 was adopted. Carried, and the amendment offered by Mr. Curtis was lost.

The question then was upon the amendments offered by Mr. Clark, of Johnson, to sections 2, 4 and 5 of Mr. Claggett's bill; which amendments were withdrawn; when Mr. Williams offered a substitute, upon the adoption of which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Cottle, Cowing, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Goodrell, Hoag, Hunt, Lynch, Mangold, Mitchell, Riddle, Ruddick, Shipman, Stanton, Streeter, Williams, Williamson of Warren, Withrow, Wright, Mr. Speaker—30.

The nays were—Messrs. Beal, Bracewell, Bennett, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Crawford, Curtis, Doggett, Dunlavey, Ellis, Glasgow, Gniffke, Gue, Haskall, Harris, Hedges, Hotchkiss, Jennings, Jones, Lambert, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Robb, Sabin, Stevens, Tompkins, Whitaker, Williamson of Louisa, Witter—46.

Absent, or not voting—Barnes, Gurley, Hall, Kellogg, Merrill, Noble, Price of Lee, Rees, Taylor, and Williamson of Warren.

Substitute lost.

On motion, the bill was taken up by sections.

On section one, Mr. Curtis moved to strike out the words, "the true intent and meaning of," in the first section. Lost.

Mr. Clark, of Des Moines, moved the adoption of the whole section, as it originally stood; upon the adoption of which Mr. Bereman demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Blackford, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, Le Lacheur, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—66.

The nays were—Messrs. Bereman, Bemis, Bremner, Caldwell, Clark of Johnson, Cottle, Darling, Goodrell, Mangold, Riddle, Whitaker, Williams—12.

Absent, or not voting—Messrs. Barnes, Gurley, Hall, Kellogg, Merrill, Price of Lee, Rees, and Williamson of Warren.

Motion adopted.

Mr. Wright moved to strike out the second section.

Mr. Bowdoin moved that the House adjourn. Lost.

Mr. Curtis moved that when the House adjourns, it adjourn till 9 o'clock to-morrow morning. Lost.

Mr. Millard obtained leave of absence.

On motion, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Cowing introduced house file number 173, a bill for an act to amend an act entitled an act to amend chapter 150 of the acts of the 7th General Assembly; which was read a first and second time, and on motion, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Lam-

bert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Robinson, Rosenkrans Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—69.

The nays were—None.

Absent, or not voting—Messrs. Barnes, Campbell, Darling, Davis of Jasper, Dennison, Gniffke, Jennings, Jones, Kellogg, McQuinn, Millard, Merrill, Quinn, Rees, Riddle, Sabin, and Williamson of Warren.

The bill passed, and the title was agreed to.

Mr. Withrow moved that the rule be suspended, and the joint resolution of the Senate relative to the committee to investigate the affairs of the Insane Asylum, going there, be taken up. Carried.

Mr. Clagget moved to amend the joint resolution as follows :

And that said committee also inquire into and report to this House whether the laborers who have been employed in said building, have been paid for their labor, and the furnishing materials for the erection thereof ; and also whether there has been any deduction made from the price to be paid, according to the contracts for labor or materials, and the manner in which said materials, labor and indebtedness, have been paid for, and all other things relative to the faithful administration of the offices of said institution.

Resolved, That said committee be further instructed to make enquiry as to whether the Treasurer or any other person has, at any time discounted any warrants when there was money in the Treasury belonging to the State, with which to pay the same.

Mr. Dennison offered the following amendment :

And that said committee be composed of members of the two special committees on the Penitentiary and the Insane Asylum, as may be agreed upon by said committees, and that said joint committee be requested to visit the Penitentiary as well as the Insane Asylum, and with the same powers. Lost.

Mr. LeLacheur offered the following amendment :

Resolved, That if the General Assembly is not in session when said committee returns, they shall prepare and publish five thousand copies of their report, for general distribution, and the Secretary of State is hereby authorized to distribute them equally among the members of the General Assembly.

Which was adopted.

Mr. Edwards then moved that the committee be required to report by the middle of March. Adopted.

Mr. Baker then offered the following amendment :

That said committee consist of two members of the House and one of the Senate, and that said committee be authorized to em-

ploy a disinterested architect to aid them in their investigations.
Adopted.

The question then being upon the adoption of the joint resolution as amended, the yeas and nays were demanded by Mr. Bowdoin, and were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bemis, Bremner, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—68.

The nays were—Messrs. Beal, Jennings, Jones, Mitchell, Riddle, Stevens, Whitaker—7.

Absent, or not voting—Messrs. Barnes, Caldwell, Gniffke, Hall, Kellogg, Millard, Merrill, Peet, Rees, Williams and Williamson of Warren.

Resolution adopted.

On motion, the House adjourned.

HOUSE OF REPRESENTATIVES, }
February 16, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Nash.

The journal of yesterday read and approved.

Mr. Mitchell, from committee on Des Moines River Improvement, presented the following report:

MR. SPEAKER:—The committee on the Des Moines River Improvement, to whom was referred a resolution of inquiry, and also so much of the Governor's message as had reference to said improvements, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage.

J. C. MITCHELL, Chairman.
H. C. CALDWELL,
ABRAM TOMPKINS,
E. S. McCULLOUGH,
JOHN D. JENNINGS.

Which report was concurred in.

Mr. Mitchell presented house file number 174, a bill for an act in relation to the Des Moines River Improvement, and abolishing the office of Commissioner thereof, was read first and second time, laid on the table, and ordered printed.

The question being upon the adoption of the second section of the mortgage bill, Mr. Claggett moved to strike out sections 2, 4 and 5, of the bill. Carried.

Mr. Claggett moved that the bill be read a third time. Carried; and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavy, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter and Mr. Speaker—71.

The nays were—Messrs. Bereman, Bowdoin, Bemis, Bremner, Cottle, Darling, Gurley, Hall, Riddle, Whitaker—10.

Absent, or not voting—Barnes, Kellogg, Merrill, Rees and Wright.

The bill passed and the following title agreed to:

An act to provide for the redemption of real estate sold on foreclosure of mortgages.

Mr. Harris offered the following resolution:

Resolved, That the committee on ways and means be instructed to provide for the payment of School Fund Commissioners' salaries now unpaid and unprovided for by law, and report the same to this House at their earliest convenience.

Which was adopted.

The committee on agriculture, to whom was referred a resolution directing the committee to inquire into the expediency of repealing the law enacting and providing for an Agricultural College and Farm, have had the same under consideration, and the minority of said committee beg leave to report, that in their opinion it is expedient to repeal said law, and for the following, among other reasons:

1st. Said institution was not, and is not now demanded by a majority of the tax-payers of the State, or those for whose especial benefit it is claimed the same was created.

2d. It is believed that the expenditures of money required to

establish and keep up such an institution, will be entirely disproportioned to the benefit resulting therefrom to the people of this State.

3d. Admitting that the institution would be of practical value to the agricultural interests of the State, your committee believe it unwise and unjust to embark in such a costly enterprise at a time when such financial distress pervades the country, and when the people are already overburdened with taxes.

4th. Again, the State of Iowa is yet young, and almost one half of her territory unsettled, and it is unjust to burden the present tax-payers of the State with the cost of establishing an institution not imperatively demanded.

JOHN M. WHITAKER,
T. N. BARNES.

Which, on motion, was laid on the table.

Mr. Gue, from committee on agriculture, presented the following majority report :

The undersigned, members of the committee on agriculture, to whom was referred a resolution inquiring into the expediency of repealing the law creating and providing for an "Agricultural College and experimental Farm, to be connected with the entire agricultural interest of the State," ask leave to submit the following report : That in their opinion, it is clearly inexpedient, unwise and unjust to repeal said law, for the following, among other reasons :

1st. That the law was enacted by the last Legislature, at the earnest solicitation of the most intelligent and experienced farmers, mechanical and working men of the State: that after a full and free discussion upon the merits of the bill, and the expediency of their laying the foundation for an institution for the benefit of the great mass of the people who earn an honest living by the hard labor of their hands, and the sweat of their brows, it was passed with a unanimity that ought to have entitled it to a *fair trial* before attempts are made to crush it out.

2d. There is no evidence before the committee that any considerable number of people, of any class, or in any portion of the State, desire that the law of the last session, for the establishment of this institution, should be repealed until after a reasonable time has elapsed to enable them to judge whether it will meet the wants and expectations of those for whose benefit it was proposed to establish it. Your committee believe it would be but justice to the very large and respectable class of our citizens, who compose the working men of the State, to let the original intent of the friends of this institution be fairly carried out, as provided by the law which it is proposed to repeal.

3d. In view of the financial embarrassments which now depress our people, the friends of the College have decided to ask for no farther appropriation from the State at this session of the Legislature; but that they will solicit and secure such subscrip-

tions from friendly sources as may enable them, when times are more propitious, with some assistance from the State, to erect such buildings as the wants of the institution may require; thus relieving the people from any apprehensions that this institution should add to their already heavy burthen of taxation.

Your committee would further represent that the law was so framed that the institution should go into operation gradually. An agricultural bureau was organized in connection with the board, for the purpose of collecting and disseminating valuable information which could in no other manner be so effectually and cheaply obtained. It also provides for the collection and distribution of seeds; thus affording a medium of exchange among farmers in the different parts of the State, which, of itself, is of far more value than the whole amount of expense incurred. Indeed, it is impossible to calculate the great advantages which will undoubtedly result from this department.

Who can estimate the value to this State of the introduction of the single article of Sorghum, obtained by the seed department of the General Government, which has saved to our citizens, already, hundreds of thousands of dollars. Through this department of the College, we are already reaping the benefit of the law, to some extent, while the board is engaged in making preparations for carrying its provisions fully into effect, as fast as the means, at their disposal, will justify.

The farm has already been purchased, the location made, and an amount of money subscribed to assist in erecting the necessary buildings. As evidence of the demand there is for an institution of this kind, and its popularity among the farmers, your committee would state that there has already been numerous applications for admission into the college, as students, as soon as it goes into operation.

In view of all these facts, your committee would most earnestly protest against the repeal of this law, and the consequent destruction of all that has thus far been accomplished; being confident, as we are, that if this step backward is taken, that it must and will be retraced, and that all of the time and money already expended, will be worse than lost; it will be evidence to our citizens and to the world, that after having once determined to educate our working men, to elevate labor and make it honorable and ennobling; that after having decided to provide an institution in which the sons of our farmers and mechanics may be educated for their chosen profession, we have repented of our noble purpose, and have concluded that ignorance is preferable to knowledge, and have chosen darkness rather than light. All of which, is respectfully submitted.

B. F. GUE,
R. W. MACOMBER,
M. W. ROBINSON,
L. C. NOBLE,
F. A. STEVENS.

Which, on motion, was laid on the table.

Mr. Jennings moved to take up the resolution of enquiry concerning the Supreme Court Reports, &c. Carried, and the resolution adopted.

Mr. Hall, from the committee on judiciary, submitted the following report :

The judiciary committee, to whom was referred senate file number 80, "a bill for an act to release to Martin McHugo the right of the State by Escheat to a parcel of land in Henry county, Iowa," report, that the land described in the bill, was owned by Michael McHugo, who died seized of the same, that Michael was a citizen of the United States, that his father and mother were at the time of his death, citizens of and owed allegiance to the Queen of England. That they are the heirs of Martin McHugo, but cannot inherit on account of their being aliens, and he cannot inherit because his father and mother are living. He has obtained a deed from his father and mother, and now requests the State to convey the land to him as an Escheat.

By the 2d part of the 9th article of the Constitution, section 3, dedicates all estates of deceased persons who may have died without leaving a will or heir, to the school fund, and declares that the same shall be and remain a perpetual fund, the interest of which, together with all rents of the unsold land, &c., shall be inviolably appropriated to the support of common schools throughout the State.

Your committee are of the opinion that the Legislature have no power to release or give away Escheated lands that are by the Constitution dedicated to the school funds.

The school funds that arise from this source, are as sacred as any other, and cannot be diverted or disposed of for any other object than that declared by the Constitution.

Your committee are aware that acts of this nature have been frequent, and that in some instances, large estates have been inconsiderately given away, at least, so far embarrassed that the officers have never proceeded against them, but they do not think that the practice has gone so far that it should be followed as a fixed precedent.

In conclusion, your committee would say, that if the State has an interest in the land there is no power to release; if they have not, such release would be folly.

They therefore recommend that the bill be indefinitely postponed, and that the lady have leave to withdraw her papers.

J. C. HALL, by order of the Com.

Which report was not concurred in, the bill was read first and second time, and ordered to be engrossed, and read a third time to-morrow.

Mr. Goodrell, by leave, presented the petition of citizens of Polk

county, asking the repeal of the present Prohibitory Liquor Law, &c.

Mr. Goodrell offered the following resolution :

Resolved, That the petition be referred to a committee of three, with instructions to report a bill allowing incorporated towns and cities, with a population exceeding one thousand, to regulate the sale of spiritous liquors by license, as a municipal regulation.

Mr. Shipman moved to lay the resolution on the table. Upon which the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Jefferson, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Haskall, Harris, Hoag, Hunt, Jones, Lambert, Le Lacheur, Macomber, McCollough of Jackson, McCollough of Lee, McQuinn, Mitchell, Morehead, Moser, Parker, Paulk, Price of Lee, Price of Muscatine, Reed, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Williamson of Louisa, Withrow—54.

The nays were—Messrs. Bowdoin, Clark of Johnson, Claggett, Gniffke, Goodrell, Gue, Gurley, Hall, Hedges, Hotchkiss, Jennings, Mangold, Noble, Peet, Quinn, Riddle, Robinson, Robb, Stevens, Taylor, Williams, Witter and Mr. Speaker—24.

Absent, or not voting—Barnes, Clark of Des Moines, Kellogg, Millard, Merrill, Lynch, Rees, Williamson of Warren, and Wright.

Motion prevailed.

Mr. Goodrell moved to refer the petition on license, &c., to a select committee of three. Carried.

The Chair appointed Messrs. Goodrell, Paulk and Mangold said committee.

Mr. Gue presented a remonstrance from citizens of Scott county, against the repeal of the present law; and Mr. Davis, of Jasper, from citizens of Jasper county, asking the repeal of the prohibitory law; all of which were referred to the foregoing committee.

Mr. Baker presented petitions from citizens of Clinton county, praying that the lands conditionally granted to the I. C. A. L. R. Co., be granted to the Cedar Rapids & Missouri River Railroad; referred to committee on railroads.

Mr. Peet presented the petition of citizens of Clayton county, asking for a township organization; referred to the committee on county and township organization.

Mr. McCullough, of Lee, presented the petition of citizens of Lee county, asking the exemption of certain manufactures from taxation; was referred to committee on ways and means.

Mr. Bowdoin presented the petition of citizens of Floyd county, asking that the lands formerly ceded to the Air Line Railroad Co., may revert to the General Government, on the passage of an equally liberal grant to aid in the construction of a railroad from Mc-

Gregor, westward across the State; was referred to the committee on public lands.

Mr. Morehead presented the petition of citizens of Louisa Co., praying for a law regulating the toll of flouring mills; referred to committee on Agriculture.

REPORTS OF COMMITTEES.

The committee on the judiciary, to whom was referred a resolution "That the committee on the judiciary be requested to inquire into the expediency of a law to prevent the importation into this State of thieves and convicts from the houses of refuge of other States, and report by bill, or otherwise," have had the same under consideration, and have directed me to report that, in the opinion of the committee, it is not expedient to legislate on this subject.

In behalf of the committee.

E. G. BOWDOIN.

Which report was concurred in.

The committee on the judiciary, to whom was referred house file number 116, a bill entitled an act relating to trust deeds, have had the same under consideration, and have instructed me to report a substitute, and recommend its passage.

RUDDICK.

Report concurred in.

Which substitute was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—71.

The nays were—Messrs. Bereman, Cottle, Gurley, Peet, Riddle, Stevens, Whitaker, Williams—8.

Absent, or not voting—Messrs. Barnes, Kellogg, Millard, Merrill, Price of Lee, Rees, and Williamson of Warren.

The bill passed, and the title was agreed to.

On motion of Mr. Curtis, the report of the Code Commissioners on Criminal Practice, was referred to committee on judiciary.

Mr. Moser presented the petition of citizens of Taylor county, praying for the creation of a court of common pleas, with probate

jurisdiction; referred to committee on township and county organization.

Mr. Dunlavey presented the petition of citizens of Davis county, asking an appraisement and stay law, &c.; referred to the special committee on appraisement, &c.

Mr. Dennison, by leave, presented house file number 176, a bill for an act to amend section 4, chapter 46, of the acts of 1855, in relation to county seats, &c.; was read first and second time, and referred to committee on county and township organization.

Mr. Lynch, by leave, introduced house file number 177, a bill for an act making bills of specie paying banks of the State of Iowa, a legal tender for county taxes; read first and second time.

Mr. Claggett moved that the bill be indefinitely postponed; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dennison, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Robinson, Robb, Ruddick, Stevens, Taylor, Whitaker, Williamson of Louisa—37.

The nays were—Messrs. Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottle, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Withrow, Witter, Wright, and Mr. Speaker—43.

Absent, or not voting—Messrs. Barnes, Kellogg, Millard, Merrill, Rees, and Williamson of Warren.

Motion lost.

Mr. Cowing then moved to refer the bill to committee on ways and means. Carried.

Mr. Robb introduced house file number 178, a bill for an act to legalize the levy of road taxes in Sioux City, for the year 1859; was read first and second time, and referred to committee on ways and means.

REPORTS OF COMMITTEES.

The committee on county and township organization, to whom was referred house file number 126, return the following substitute, and recommend its passage; also, house file number 139, report same back, and recommend its passage; also, house files numbers 48 and 49, and have requested me to report the same back, and ask their reference to the committee on roads and highways.

C. GILLET, Chairman.

On motion of Mr. Baker, house file number 139, a bill for an act to legalize the official acts of the city of Clinton, Clinton county, State of Iowa, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Connor, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—75.

The nays were—Messrs. Bowdoin, Claggett, Ellis, Stevens—4.

Absent, or not voting—Messrs. Barnes, Goodrell, Kellogg, Milard, Merrill, Rees, and Williamson of Warren.

The bill was passed and title agreed to.

By leave, Mr. Beal introduced house file number 179, a bill for an act repealing chapter 160 of the acts of the 7th General Assembly, entitled an act to authorize the Governor to appoint Commissioners to examine the accounts of State officers, &c.; was read a first and second time, and referred to committee on judiciary.

By leave, Mr. Shipman introduced house file number 180, a bill for an act to exempt certain property from taxation; was read first and second time, and referred to committee on judiciary.

Mr. Williams moved that when this House adjourns, it adjourn till 9 o'clock to-morrow morning.

Mr. Claggett moved to amend by striking out 9 o'clock, and inserting 6½ o'clock, this evening; motion, as amended, carried.

By leave, Mr. Caldwell submitted the following reports:

The committee on the judiciary, to whom was referred a resolution directing the committee to report what authority, if any, the Board of Education had for ordering and providing for the publication of the laws passed by said Board, have had the same under consideration, and have instructed me to report that said Board are authorized to provide for the publication of laws passed by the Board, by section 7, article 9, of the constitution.

CALDWELL, Ch'm.

Report concurred in.

The committee on the judiciary, to whom was referred a resolution directing them to inquire into the expediency of taxing cultivated and uncultivated lands equally, have had the same under consideration, and have instructed me to report that, while it is competent for the Legislature to exempt all the improvements on

real estate from taxation, your committee are of opinion that it would not be policy to do so. It may be expedient to exempt from taxation improvements to a certain value—say \$250—and your committee recommend that a resolution be referred to the committee on ways and means, for their consideration.

CALDWELL, Oh'm.

Report concurred in.

Also, house file number 134, an act defining the duties of Notary Public, was returned, with a recommendation that it be indefinitely postponed; which report was concurred in.

Also, house file number 107, an act to amend section 1706, chapter 102, of the Code, relating to a change of venue; the committee reported that the subject matter was provided for in the new Code; which report was concurred in.

The judiciary committee also reported back a petition of citizens of Keokuk, asking relief, and asked it be referred to committee on corporations; concurred in.

Also, a resolution of enquiry as to the expediency of amending the law in relation to coroners.

Also, a resolution of enquiry, whether any law relative to the settlement of executors and administrators; reported no need of any further legislation; report concurred in.

Same committee also reported back house file number 140, and recommended its reference to committee on township and county organization.

Also, house file number 141, was reported back, and recommended its reference to the delegation from Scott county; which was concurred in.

Mr. Clark of Johnson, reported back house file number 148, a bill for an act to authorize the purchase and distribution of — copies of Dillon's Digest, which was read, when Mr. Baker moved to fill the blanks with 375, which was carried: the bill ordered to be engrossed, and read a third time on to-morrow.

Messages from the Senate.

MR. SPEAKER:—I herewith return house file number 173, the same having passed the Senate without amendment.

I am directed to inform the house that the Senate has refused to concur with the amendments made to the resolution in relation to the Insane Asylum.

I herewith present for your signature Senate file number 94, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Secretary of Senate.

Mr. Claggett moved to take up the Message of the Senate relative to the amendments adopted by the house, in which the Senate refuses to concur. Adopted.

The House insisted on its amendments, and asked a committee of conference. Carried.

The Speaker appointed Messrs. Claggett, Bereman and Bennett, the committee on part of the House.

Mr. Goodrell moved that the House take up the concurrent resolution in relation to the appointment of a night watchman.

Mr. Bowdoin offered the following substitute :

Resolved, (the Senate concurring,) That John J. Safely be, and is hereby appointed a night watchman for the Capitol Building, during the present session, under the supervision of the Secretary of State.

Which was adopted.

Mr. Gurley asked leave of absence, which was granted.

By leave, Mr. Clark, of Johnson, introduced house file number 181, a bill for an act relating to weights and measures, and amendatory of chapter 56 of the Code, was read first and second time, and the usual number ordered printed.

On motion of Mr. Baker, the House adjourned.

6½ O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Baker moved a call of the House, after the call, further proceedings were dispensed with.

Mr. Baker moved to adjourn. Lost.

Mr. McQuinn moved a call of the House, pending which Mr. Bennett moved that further proceedings under the call be dispensed with. Carried.

Mr. Bennett moved to go into committee of the whole. Carried.

Mr. Baker was called to the Chair.

The committee rose and reported back the Message with sundry references, which were concurred in by the House.

On motion of Mr. Claggett, the House adjourned.

HALL OF REPRESENTATIVES, }
February 17, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Caldwell, chairman of the judiciary committee, by leave, presented the following report.

AMENDMENTS TO THE CODE.

CHAPTER I. Sec. 2. Strike out 'an ordinary,' and insert 'a common.'

CHAPTER II. Sec. 28. Strike out the first two lines, and insert 'An appeal may also be taken to the Supreme Court from the following orders.'

Sec. 38. After 'Van Buren,' insert 'Jefferson' and 'Howard.'

CHAPTER IV. Sec. 53. Add to the same: 'And send a copy thereof to the clerk of the District Court in each county in the State, who shall post the same in a conspicuous place in his office.'

CHAPTER VI. Sec. 80. Strike out the first five lines, including 'But,' after a point.

CHAPTER VIII. Sec. 101. Insert in the first line, after the word person, '21 years of age.' Strike out the second word 'District,' on page 14, Section 101. Strike out 'permitted,' and insert 'licensed.'

CHAPTER XI. Sec. 162. Read 'assignee,' instead of 'assigned.'

Sec. 182. Strike out in the first line, 'judicially found to be.'

Sec. 183. Strike out 'judicially found to be.'

Sec. 184. Strike out 'judicially.'

Sec. 186. Strike out this section.

CHAPTER XII. Sec. 198. Read 'charge' instead of 'change.'

Sec. 203. Strike out the last two lines after the word 'found.'

CHAPTER XIII. Sec. 206. *Sub Division 3*—Insert in the second line, after the word 'are,' 'or the Judge is.'

Sec. 210. Strike out the words 'by a trusty messenger.'

Sec. 212. In the second line after 'including,' read 'those of,' instead of 'thereof.' Insert in line 3, after 'shall,' 'unless such change be taken under sub division 2 of section 206.'

CHAPTER III, is under consideration.

CALDWELL, Chairman.

UNFINISHED BUSINESS.

The judiciary committees substitute for house files 58, 59 and 71, being house file number 182 was taken up, and on motion of Mr. Baker, was indefinitely postponed.

Leave of absence was granted to Mr. Price of Muscatine.

Leave of absence was granted to Mr. Lambert, till next Wednesday.

Leave of absence was granted to Mr. Davis of Jasper.

Substitute for senate file number 4, a bill in regard to delinquent taxes, was taken up, read first and second time, and referred to committee on ways and means.

PETITIONS.

Mr. Caldwell presented petition from citizens of Van Buren county, asking the Assembly to memorialize Congress for certain mail routes, which was referred to committee on federal relations.

Mr. Davis of Jasper, presented petition of citizens of Jasper county, asking for the abolition of the County Judge system and the establishment of a Board of Supervisors or Commissioners, which was referred to the committee on county and township organization.

Mr. Crawford presented the petition of James Brown, asking for extension of time as surety of Alpheus Brown, late School Fund Commissioner of Linn county, which was referred to a select committee of three.

The Chair appointed Messrs. Crawford, Bennett and Haskall as such committee.

Mr. Morehead presented the petition of citizens of Washington county, remonstrating against the passage of any law to legalize railroad bonds hitherto issued, which was referred to the railroad committee.

Mr. McQuinn presented a petition asking for the repeal of so much of chapter 143 of the acts of the Seventh General Assembly which permits the sale of beer, cider and wine, which was referred to the select committee on the liquor law.

Mr. McCollough of Lee, presented a petition of citizens of Lee county, asking the abolition of the office of County Superintendent, and to do away with township organizations, which was referred to the committee on schools and university.

Mr. Whitaker presented a petition asking that all township lines throughout the State be declared public highways, which was referred to the committee on county and township organizations.

Mr. Connor presented a petition asking for ferry privilege on the Missouri River, to be granted to Jesse Thompson, of Fremont county, which was referred to committee on railroads.

RESOLUTIONS.

Mr. Mitchell offered the following resolution :

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law for making slander a crime, punishable by fine and imprisonment, and to report by bill or otherwise,

Which was adopted.

Mr. Haskall offered the following resolution :

Resolved, By the House of Representatives, (the Senate concurring,) That the General Assembly will adjourn *sine die*, on the fifteenth day of March, A. D. 1860.

Which was laid on the table.

Mr. Cowing offered the following resolution,
WHEREAS, It has been asserted that the Mississippi and Missouri Railroad Company have failed to comply with the provisions of the act of the General Assembly, granting to said Company certain lands to aid in the construction of said road: therefore
Resolved, That the committee on railroads be instructed to enquire into the matter, and to report to this House whether said Company, or any other Company which may have received lands from the State has failed to comply with the provisions of the act of the General Assembly granting said lands, and whether any legislation is necessary to protect the interests of the State.

Which was adopted.

REPORTS OF COMMITTEES.

The committee on charitable institutions, to whom was referred the petition of citizens of Lee county asking for the establishment of a reform school for juvenile offenders, have had the same under consideration. The committee are of the opinion that an institution of the character asked for would be of great benefit to that portion of our citizens for which it is designed. But owing to our present financial difficulties, they are unanimously of opinion that it is inexpedient to establish one at the present time. They have therefore instructed me to ask to be discharged from the further consideration of the subject.

AMOS WITTER, Chairman.

Which report was concurred in.

Mr. Ruddick, from the judiciary committee, presented the following report:

The committee on the judiciary, to whom was referred the resolution to enquire into the expediency of so organizing Justices' Courts that the same shall have regular sessions, not oftener than once a month, have had the same under consideration, and have instructed me to report that they deem it inexpedient to organize such courts.

G. W. RUDDICK, from Judic. Com.

Which was concurred in.

Mr. Bowdoin, chairman of the committee on schools and state university, presented the following report, which was concurred in.

Your committee on schools and state university, to whom was referred a resolution directing them to report to this House the amount expended under the law of the last session, providing for the completion of a suitable boarding hall, &c., for the State University, to report if the terms of said law have been complied with and how far said building approaches to completion; have had the same under consideration, and respectfully beg leave to report:

That by an act of the last General Assembly, the sum of Ten Thousand Dollars was appropriated for the erection and comple-

tion of a suitable building for a boarding hall, study rooms and dormitories, for the use of the University: That this sum was expended by the former Board of Trustees of the University, for the purposes specified in the act, but without completing the building.

That said Board of Trustees borrowed from the interest of the University Fund, the additional sum of Five Thousand Dollars, which was also expended by them in inclosing the building, and it is estimated that the further sum of ten thousand dollars will yet be needed for its completion.

In behalf of the committee,

E. G. BOWDOIN, Ch'm.

Mr. Ruddick, chairman of the committee on incorporations, presented the following report, and reported back house file number 130:

The committee on incorporations, to whom was referred house file number 130, an act relating to the Keokuk, Fort Des Moines and Minnesota Railroad Company, and ask that the same be referred to the committee on railroads.

G. W. RUDDICK.

Mr. Claggett moved to indefinitely postpone the bill. Carried.

Mr. Witter, chairman of the committee on charitable institutions, presented the following report, which was concurred in:

The committee on charitable institutions, to whom was referred a bill for an act to locate an Asylum for the deaf and dumb, have had the same under careful consideration. The committee are satisfied that it will be a very difficult matter to pass appropriations sufficient to complete institutions of this character during the present session, already began, and partly finished. They have accordingly instructed me to report adversely to the passage of said act, and ask that the friends of said bill may be permitted to withdraw their pupils, and that the committee be discharged from the further consideration of the subject.

A. WITTER, Chairman.

Mr. Gue, Chairman of the committee on agriculture, presented the following reports, which were concurred in, and the bills mentioned were passed upon the file:

The committee on agriculture, to whom was referred a bill to amend section 940, of the Code, have had the same under consideration, and have directed me to report it back to the House, and recommend its passage.

B. F. GUE, Chairman.

The committee on agriculture, to whom was referred a petition from citizens of Jackson and Clinton counties, praying for a tax on dogs, would recommend that it be referred to the committee on judiciary.

B. F. GUE, Chairman.

The committee on agriculture, to whom was referred a bill to repeal chapter 193, of the session laws of the 6th General Assem-

bly, have had the same under consideration, and have directed me to report it back, and recommend that it do not pass.

B. F. GUE, Chairman.

The committee on agriculture, to whom was referred a bill to repeal chapter 101, of the acts of the 7th General Assembly, have had the same under consideration, and a majority of the committee have directed me to report it back, and recommend that it do not pass.

B. F. GUE, Chairman.

Mr. Sabin, Chairman of committee on public lands, presented the following reports, which were concurred in, and the bills passed upon the file:

Your committee on public lands beg leave to report back to the House house file number 23, and recommend that it do not pass, as there are other bills before the committee of the same import.

D. D. SABIN, Chairman.

Your committee on public lands beg leave to report, that they have examined house file number 120, a bill to provide for the establishment of a Commissioner of Emigration, for the State of Iowa, in the city of New York, and respectfully recommend the the passage of the same.

D. D. SABIN, Chairman.

Your committee, to whom was referred that part of the Governor's message relating to the swamp and overflowed lands, ask leave to report, that they are in favor of the suggestions therein contained, and that a resolution in accordance therewith has been reported by us, and passed by this House and sent to the Senate.

D. D. SABIN, Chairman.

Mr. Clark, of Johnson, presented the following reports from the committee on banks and banking, which were received, and the bills passed upon the file:

The committee on banks and banking, to whom was referred the annexed bill, house file number 38, report the same back and recommend that it do not pass.

R. CLARK, Chairman.

The committee on banks and banking, to whom was referred the annexed bill, house file number 69, have had the same under consideration and unanimously recommend that the same do not pass.

R. CLARK, Chairman.

INTRODUCTION OF BILLS.

Mr. Williams introduced house file number 183, a bill for an act further defining the powers and duties of executors and administrators, which was read a first and second time, and referred to the committee on the judiciary.

Mr. Darling introduced house file number 184, a bill for an act limiting the issue of county warrants, which was read a first and

second time, and referred to the committee on county and township organization.

Mr. McQuinn introduced house file number 185, a bill for an act to provide for township and county organization, which was read a first and second time, and referred to the committee on county and township organization.

Mr. Bereman introduced house file number 186, a bill for an act to enable towns, cities and counties to collect delinquent taxes, which was read a first and second time, and referred to the committee on ways and means.

Mr. Bracewell introduced house file number 187, a bill for an act to amend section 2705, of the Code, which was read a first and second time, and referred to the committee on judiciary.

Mr. Owing introduced house file number 188, a bill for an act providing for the valuation and appraisement of property taken by virtue of execution, which was read a first and second time, and referred to the select committee on the appraisement law.

Mr. Curtis introduced house file number 189, a bill for an act in relation to executions and orders of sale, which was read a first and second time, and referred to the select appraisement committee.

Messages from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 82, a bill for an act to amend an act entitled an act to authorize the Dubuque and Pacific R. R. Co. and others to bridge the Mississippi river at Dubuque.

Also, senate file number 217, a bill for an act for the collection of school funds and interest; in all of which the concurrence of the House is asked.

J. H. SANDERS, Secretary of Senate.

Mr. Gue introduced house file number 190, a bill for an act to amend an act entitled an act for the encouragement of agriculture; which was read a first and second time, and ordered to be engrossed, and read a third time to-morrow.

Mr. McQuinn introduced house file number 191, a bill for an act providing for taking up estray animals, which was read a first and second time, and referred to the committee on agriculture.

Senate file number 82, was taken up, being a bill for an act to amend an act entitled an act to authorize the Dubuque and Pacific R. R. Co. and others to bridge the Mississippi river at Dubuque, which was read a first and second time, and referred to the committee on the judiciary.

Senate file number 47, a bill for an act for the collection of school and saline funds and interests; was taken up, read a first and second time, and referred to the committee on ways and means.

Message from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has appointed Messrs. Saunders, Trumbull and Sherradden, a committee to act with a similar committee on the part of the

House, on the disagreement of the two Houses on an investigation of the affairs of the Insane Asylum.

I also herewith return house file number 57, the same having passed the Senate, with an amendment, in which the concurrence of the House is asked.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 14, a bill for an act authorizing the county judge and county treasurer to sell the saline lands; in which the concurrence of the House is asked.

I also return house file number 13, an act to amend section 12 of chapter 157 of the acts of the 7th General Assembly, the Senate having indefinitely postponed the further consideration of the same.

J. H. SANDERS, Secretary of Senate.

House file number 57, was taken up, being a bill for an act to repeal part of section 6 of chapter 93 of the acts of the Seventh General Assembly, when by leave, Mr. Beal presented a petition on the same subject, and the whole matter was laid on the table, on motion of Mr. Baker.

The House took up senate file number 14, an act authorizing the County Judge and County Treasurer to sell saline lands, which was read a first and second time and referred to the committee on schools and State University.

The House then took up house file number 13, a bill for an act to amend chapter one hundred fifty-seven of the laws of the Seventh General Assembly.

On motion of Baker, the bill was laid on the table.

Mr. Caldwell moved to take from the table house file number 150, being substitute for house files number 8 and 27 (a bill for an act providing for the appraisal of property taken on execution.)

Mr. Clark, of Johnson, moved to make it the special order for to-morrow at 10 o'clock. Carried.

By leave, Mr. Bennett of the committee of conference on the Insane Asylum made the following report which was concurred in:

The committee of conference have agreed to the following:

That the committee to examine into the affairs of the Insane Asylum consist of five members, to be selected as follows: Two to be appointed on the part of the Senate and three on the part of the House, and that they be required to report to the present General Assembly at as early a day as practicable.

The President of the Senate and Speaker of the House be requested to appoint said committee.

Mr. Baker called up house file number 137, a bill for an act amending chapter 31 of the laws of the Fourth General Assembly entitled an act granting to rail road companies the right of way, which was read by sections.

Mr. Caldwell moved to amend the second section as follows: After the word "shall" in the fourth line insert the words "before

taking possession of the land or entering thereon for the construction of the road." Carried.

Mr. Baker moved to amend the second section as follows: Before the word "when" in the first line insert the words "in all the above named cases" and insert the words "District" in lieu of the words "County Treasurer" in the fourth line. Carried.

Mr. Caldwell moved to strike from the second section the words "which such lands are valued." Carried.

Mr. Clark, of Johnson, moved to strike out "gold" and insert "specie" in the fourth line. Carried.

Mr. Olaggett moved to strike out the words "three dollars" in the third section and insert the words "ten cents per mile travelling fees." Lost.

Mr. Clark, of Johnson, moved to strike out the words "may have been or" in the second line of the fourth section. Lost.

Mr. Clark, of Johnson, moved to strike out section four and five. Lost.

Mr. Caldwell moved to insert the words "and paid" after the word commissioners in the fifth line of the fourth section. Carried.

Mr. Olaggett offered the following substitute for section five which was adopted: "The consent of the city or town may be given by a majority of the legal votes cast of such city or town, at any special or general election to be held for that purpose, after giving public notice of the time of holding said election and the purpose for which the vote is to be taken, by publication in some newspaper published in said city or town, if any be published in said city or town, and if no newspaper is published in said city or town, then by posting up the same in at least three of the most public places in said city or town for at least ten days prior to the time of taking the vote; and the Mayor or other proper officer of said city or town shall keep a record in his office of the proceedings and result of said vote."

Mr. Baker moved that when we adjourn it be till 9 o'clock to-morrow morning. Carried.

Mr. Goodrell moved that the bill be engrossed and read a third time to-morrow. Carried.

Mr. Gillett, from committee on county and township organization, made the following report which was concurred in and the bill passed on the file:

The committee to whom was referred house file number 113, have in connection with the joint committee in the Senate had the same under consideration and have agreed on the following substitute embracing most of the principles embodied in the original bill; this substitute has been presented as senate file number 25; the committee have requested me to return the same to this House with the foregoing report and recommend its passage.

GILLETT.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has concurred in the resolution of the committee of conference on the Insane Asylum and that Messrs. Anderson and Patterson have been appointed as committee on the part of Senate; also that the Senate has concurred in the substitute of the House, appointing J. J. Safely as night watchman during the session.

J. B. PARKER, Ass't Sec'y.

Mr. Curtis moved that the House do now adjourn. Carried.

HALL OF REPRESENTATIVES, {
February 18, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

By leave, Mr. Reed offered the following resolution :

Resolved, That this House will not grant leave of absence or excuse any member from this floor hereafter, unless in case of sickness.

Mr. Ellis moved to lay the resolution on the table. Carried.

Mr. Williamson, of Louisa, presented a petition from J. R. King and others, asking for change in the revenue system.

Mr. Claggett moved to refer to a special committee of three. Carried.

The Chair appointed Messrs. Williamson, of Louisa, Claggett and Glasgow as such committee.

Message from the Senate.

MR. SPEAKER:—I herewith return house file number 34, a bill for an act to encourage the growth and cultivation of timber, the Senate having refused to pass the same.

J. H. SANDERS, Secretary of Senate.

Mr. Noble, by leave, presented petitions from citizens of Fayette county, asking that the Iowa Central Air Line grant of land revert to the United States, on the passage of a similar grant to the road from McGregor, westward; which were referred to the committee on public lands.

Mr. Rosenkrans, by leave, presented the following report from the committee on public buildings: The committee to whom was referred the following resolution:

Resolved, That the committee on public buildings be instructed to inquire whether the papers, books and records in the different offices in the Capitol Building, are secure from destruction from

fire; and if not secure, to report to this House the best means of securing the same;

Beg leave to make the following report: That they have examined the various offices in the Capitol Building, and that most of the papers, books and records, are not secure from destruction by means of fire.

That in the office of Secretary of State, the original laws of the State, and the records, both State and Territorial, (all of which are of the greatest importance,) are entirely unprotected in case of fire.

In the State Land Office, the large number of books, papers and records which are entirely unprotected from fire, imperatively demand some other safety than is now afforded.

In all of the offices, there are many books, papers and records which cannot be put into the iron safes now in those offices. These affording but a limited protection, the present means are, therefore, entirely inadequate to protect them properly.

Your committee, therefore, have come to the conclusion that some further protection is imperatively demanded; and they are unable to devise any suitable way or means of protecting said property in the present building used as a Capitol building; and would recommend the erection of a suitable building, in Capitol Square, to cost ——— dollars; said building to be built of brick or stone, and two stories in height; one room, or rooms, to be made fire-proof, for the reception of such books, papers and records as shall be deemed necessary to place there for security.

They would further recommend that a room in said building be fitted up for the use of the State Land Office, for the reason that a great share of the books and papers of the Land Office have to be in daily use; therefore requiring them to be near at hand; and by vacating the present room, it will give additional committee room.

Your committee would recommend the using the upper story of said building as a paper and book warehouse, as the State has no place now for the storage of paper and books, except a small room in this building, and are now renting a warehouse, at a rent of fifteen dollars per month, besides the extra expense of drayage.

Your committee would therefore recommend the building of such a building as would answer the purposes above enumerated, and that a suitable amount of money be appropriated for that purpose. All of which is respectfully submitted.

S. B. ROSENKRANS, Chairman.

Mr. Goodrell moved to re-commit to same committee, with instructions to report a bill. Carried.

Mr. Shipman presented a petition from citizens of Muscatine county, praying for the re-enactment of the original prohibitory liquor law, as approved January 28th, 1857; which was referred to the select committee on the liquor law.

Mr. Ellis, chairman of the select committee on emigration, presented the following report, which was received: The select com-

mittee to whom was referred the petition of sundry citizens, praying the appointment of an agent for the State of Iowa, to visit eastern cities to solicit emigration to this State, and to make all needful regulations with railroad companies, to transport passengers and freight to this State for reasonable fare, and to point out the advantages of Iowa over other States in agricultural and mechanical advantages, &c., having had the same under consideration, have agreed on the following report: That there has been a bill submitted by this House to the committee on public lands, who have reported back said bill, recommending its passage, and we of the select committee, conclude that further action before our committee is unnecessary, and would hereby recommend the passage of said bill.

GEORGE P. ELLIS,
Chairman select committee.

BILLS ON FIRST READING.

House file number 93, joint resolution for the publication of all laws relating to township officers, was taken up, read a first and second time, and referred to the committee on the judiciary.

House file number 152, a bill for an act making provision for the payment of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Improvement, as school lands, was taken up.

Mr. Curtis moved to lay on the table. Carried.

BILLS ON SECOND READING.

House file number 170, a bill for an act to provide for the establishment of a Commissioner of Immigration for the State of Iowa, in the city of New York, was table up, and read a second time.

Mr. Williams moved to lay the bill on the table, and print.

Mr. Paulk called for a division of the question.

The motion to lay on the table was lost.

The motion to lay on the table and print, prevailed.

House file number 106, a bill for an act amending section 940 of the Code, was taken up, read a second time, and ordered to be engrossed for a third reading to-morrow.

House file number 128, a bill for an act for the repeal of chapter 101 of the acts of the 7th General Assembly, was taken up, and read a second time.

Mr. Baker moved to lay the bill on the table. Carried.

House file number 108, a bill for an act to repeal chapter 193 of the laws of the 6th General Assembly, was taken up, and read a second time.

Mr. Bowdoin moved to indefinitely postpone the bill. Carried.

The Chair announced that the hour had come, to take up the special order of the day, being house file number 150, a bill for an

act providing for the appraisement of property taken on execution.

Mr. Bracewell moved to strike out "hereafter," in the first line of section 1. Lost.

Mr. Claggett moved to strike out "or personal," in the first line of section 2. Lost.

Mr. Caldwell moved to strike out "toward each party to the execution," from the third and fourth lines of section 2. Carried.

Mr. Claggett moved to amend section 4 as follows: Strike out all after "agree," in the first line; all of the second line, and all before the first "the," in the third line, and to add "then," before the first "the" in the third line. Lost.

Mr. Jennings moved to strike out all after the word "appraisement," in the fourth line of section 4. Carried.

Mr. Wright moved to add, "for that part of the property upon which the first appraisers could not agree," after the word "appraisers," in the second line of the 4th section. Carried.

Mr. Jennings moved to strike out "of," in the first line of section 5, and insert in place thereof, "and decrees for the;" also, to strike out all after "trust," in the second line, and all of the third line. Carried.

Mr. Claggett moved to strike out "and include," in the first line of section 5, and insert in place thereof, "all executions including." Carried.

Mr. Edwards moved to amend section 2 as follows: Strike out all after "sell" in the second line to the first "and" in the 4th line, and insert in the place thereof, the following:

"Notify the County Superintendent, Township Clerk and Assessor, in such township where the real estate is situated, or the personal property may be offered for sale, who shall, or any two of them shall constitute a board of appraisers to appraise all property offered for sale under execution, in pursuance of this act. If, for any cause, any one of the aforesaid appraisers cannot act, for reason of any disability, or interest, the remaining appraisers shall select some other legal voter of the township, to act with them, as one of said appraisers, in that particular case, who shall also take an oath, as prescribed for the appraisers." Lost.

The chair announced the select committee on part of the house, to investigate the affairs of the Insane Asylum, as follows:—Messrs. Hall, Wright and Bemis.

Mr. Curtis moved that when the House adjourns, it be till 9 o'clock on Monday morning. Carried.

Mr. Lynch moved to amend section 7, of the bill as follows: Strike out "one year," in the third line, and "year" in the sixth line, and insert, in each case, "six months."

Mr. Willamson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Blackford, Bemis, Bremner, Clark of Jefferson, Claggett, Cottle, Curtis, Hall, Le-

Lacheur, Lynch, Mangold, McCullough of Lee, Noble, Paulk, Peet, Price of Lee, Reed, Riddle, Robb, Whitaker, Williams, Mr. Speaker—25.

The nays were—Messrs. Beal, Bowdoin, Barnes, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Cowing, Crawford, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lambert, Macomber, McCullough of Jackson, McQuinn, Mitchell, Morehead, Moser, Parker, Quinn, Robinson, Rosenkrans, Rudick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter—50.

Absent, or not voting—Davis of Jasper, Gillett, Gurley, Jones, Kellogg, Millard, Merrill, Price of Muscatine, Rees, Williamson of Warren and Wright.

The amendment was lost.

Mr. Bennett moved to adjourn. Lost.

Mr. Caldwell moved to further amend section 7, as follows: After "again," in the third line, insert "appraised and," and strike out "first" and insert "last," in the fifth line. Carried.

Mr. Curtis moved to adjourn. Lost.

Mr. Stanton moved to amend section 6 as follows: Strike out all after "provided," in the 4th line. Lost.

Mr. Bennett moved that the further consideration of this bill be postponed till Monday. Lost.

Mr. Williams moved to adjourn. Lost.

Mr. Paulk moved to amend section 7, as follows: Strike out all that part of the section between "appraisement," in the 5th line, and "and," in the 7th line. Lost.

Mr. Witter moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
February 20th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Bennett offered the following resolution :

Resolved, That Henry P. Scholte, who was charged by this House, with the translation of the Governor's message and Inaugural, into the Holland language, and the publication of the same,

be required to report to this House whether he has translated said message, and printed the same, and if so, why they are not placed upon the member's desks for distribution.

Which was adopted.

By leave, Mr. Withrow offered the following resolution :

Resolved, That the use of this Hall be granted to the democratic party for the purpose of holding their State Convention, on Wednesday, the 22d instant.

Which was adopted.

Mr. Paulk moved that Mr. Jones have leave of absence. Carried.

Mr. Bennett moved that house file number 174, a bill for an act in relation to the Des Moines River Improvement, and abolishing the office of Commissioner thereof, be taken up. The bill was taken up and read by sections.

Mr. Hall moved to strike out from 5th section, "sixty days after the aforesaid lands granted to said Railroad Company, shall have been certified to the State of Iowa," and insert "six months after the passage of this act." Carried.

Mr. Hall moved to amend section 8, as follows: After "when," in the first line, insert, "any of." Carried.

Mr. Caldwell moved to amend section 8, as follows: After "years," in the fifth line, strike out "they shall have been audited," and insert, "the aforesaid lands shall have been granted to the State of Iowa, or otherwise become the property of said company." Carried.

Mr. Caldwell moved to amend section 8, as follows: In the sixth line, strike out "that," and insert "the," and add to the section, "said claims were audited." Carried.

Mr. Caldwell moved to strike out all of section 14. Carried.

Mr. Caldwell moved that the rule be suspended, and the bill be read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottle, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Peet, Price of Lee, Quinn, Reed, Rees, Robinson, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—68.

The nays were—Messrs. Clark of Des Moines, Riddle, Rosenkrans, Stevens—4.

Absent, or not voting—Messrs. Baker, Beal, Bowdoin, Davis of

Jasper, Gurley, Hedges, Jones, Lambert, Merrill, Paulk, Price of Muscatine, Robb, Ruddick and Williamson of Warren.

The bill was passed, and the title was agreed to.

Mr. Cowing, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills beg leave to report, that they have examined the following bills, and have found the same correctly engrossed:

House file number 148, a bill for an act to authorize the purchase and distribution of 375 copies of Dillon's Digest.

House file number 106, a bill for an act to amend section 940, of the Code of Iowa.

Mr. Kellogg moved to take up house file number 38, a bill for an act to amend section 20, of the act entitled an act authorizing general banking in Iowa. The bill was taken up and read a second time. Mr. Baker moved that the bill be engrossed and read a third time to-morrow. Carried.

Mr. Paulk moved to take up house file number 106, a bill for an act amending section 940, of the Code; which was done, and the bill read a third time, and on the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Olaggett, Conner, Cottle, Cowing, Crawford, Curtis, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Lonisa, Withrow, Witter, Wright—74.

The nays were—Mr. Riddle—1.

Absent, or not voting—Messrs. Beal, Doggett, Davis of Jasper, Gurley, Kellogg, Lambert, Merrill, Price of Muscatine, Robb and Williamson of Warren.

The bill passed, and the title was agreed to.

Mr. Bereman, by leave, presented a petition from citizens of Henry county, asking for the abolition of the county judge system, and the reduction of the salaries of county officers; which was referred to the committee on county and township organization.

Mr. Caldwell, by leave, presented two petitions from citizens of Van Buren county, asking that improvements on real estate be exempted from taxation; which was referred to the committee on ways and means.

Mr. Harris, by leave, presented a petition from citizens of Shel-

by and Crawford counties, asking that township number 81 of range 40 be added to Crawford county, which was referred to the committee on county and township organization.

ENROLLED BILLS.

Mr. Dennison, from committee on enrolled bills, reported as follows :

The committee on enrolled bills ask leave to report that they have examined house file number 173, an act to amend an act entitled an act to amend chapter one hundred and fifty of the acts of the Seventh General Assembly, and find the same correctly enrolled.

J. W. DENNISON, Chairman.

Mr. Mitchell, by leave, presented three petitions from John Montgomery and others, asking that permanent improvements on real estate be exempted from taxation ; which were referred to the committee on ways and means.

Mr. Hal', by leave, presented two petitions from J. G. Lawrence, J. R. Nelson and others, asking for a change in laws respecting railroads, which were referred to the committee on railroads.

House file number 148, a bill for an act to authorize the purchase and distribution of 400 copies of Dillon's Digest, was taken up and read a third time.

Mr. Peet moved to lay on the table, and make it the special order for Monday next.

Mr. Glasgow moved to postpone till the 4th day of May next. Lost.

Mr. Peet's motion prevailed.

Mr. Claggett, by leave, presented a petition from citizens of Lee county, asking that improvements on real estate be exempted from taxation, which was referred to the committee on ways and means.

Mr. McCullough, of Lee, presented two petitions from citizens of Lee county on the same subject, which were referred to the committee on ways and means.

Mr. Dennison presented a petition from citizens of Monona county, for the abolition of the county judge system, and asking for supervisors instead ; referred to the committee on county and township organization.

Mr. McCullough presented a petition from citizens of Jackson county, asking the assembly to legalize an election in Maquoketa ; which was referred to the committee on the judiciary.

Mr. Witter presented the petition from citizens of Linn county, remonstrating against the repeal of the prohibitory liquor law ; which was referred to select committee on the liquor law.

Mr. McCullough, of Jackson, by leave, introduced house file number 192, a bill for an act legalizing the official acts of the city of Maquoketa, and the electing of the mayor of said city ; which

was read a first and second time, and referred to the committee on judiciary.

Mr. Jennings, by leave, introduced house file number 193, a bill for an act concerning taxes on lands granted to aid in the construction of public improvements; which was read a first and second time, and referred to the committee on ways and means.

Mr. Bowdoin, from the committee on schools and State University, made the following report:

The committee on schools and State University, to whom was referred house file number 88, a bill for an act to amend an act to confer certain powers on towns and cities, for school purposes, have had the same under consideration, and have directed me to report the accompanying substitute for said bill, and recommend its immediate passage.

E. G. BOWDOIN, Ch'm.

The substitute for house file number 88, a bill for an act to amend act number 11 of the Educational Laws of Iowa, entitled an act to confer certain powers on towns and cities for school purposes; the substitute was adopted, the bill read a second time, when the rule was suspended and the bill read a third time and on the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Crawford, Curtis, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Kellogg, Macomber, McQuinn, Millard, Mitchell, Morehead, Noble, Parker, Price of Lee, Quinn, Rosenkrans, Ruddick, Sabin, Stanton, Stevens, Streeter, Tompkins, Whitaker, Withrow, Witter, Wright, Mr. Speaker—55.

The nays were—Messrs. Campbell, Claggett, Cottle, Doggett, Gniffke, Jennings, LeLacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Moser, Paulk, Peet, Reed, Rees, Riddle, Robinson, Shipman, Taylor, Williams, Williamson of Louisa—22.

Absent, or not voting—Beal, Davis of Jasper, Jones, Gurley, Lambert, Merrill, Robb and Williamson of Warren.

The bill passed, and the title was agreed to.

Mr. Shipman moved that this house now adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

BILLS ON THIRD READING.

House file number 156, a bill for an act relating to the American Association in London, England, was taken up read a third time, and on the question shall the bill pass, the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottle, Cowing, Crawford, Darling, Davis of Johnson, Dunlavey, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hunt, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—66.

The nays were—Messrs. Campbell, Claggett, Doggett, Davis of Jasper, Ellis—6.

Absent, or not voting—Curtis, Dennison, Gillett, Gurley, Hotchkiss, Jennings, Jones, Kellogg, Lambert, Millard, Merrill, Price of Muscatine, Rees, Robb, Williamson of Warren.

The bill passed and title agreed to :

House file number 151, an act to amend an act to provide for levying a tax on certain lands, to complete and keep in repair a levee on Muscatine Island, and for the election of a Levee Commissioner to superintend the same, was taken up, read a third time, and Mr. Williamson moved to lay the bill on the table. Carried.

House file number 99, a joint memorial to Congress for a grant of land for a railroad from Council Bluffs to Minnesota, was taken up a third time and passed, when the title of the memorial was agreed to.

Mr. Caldwell moved to take up the unfinished business of yesterday, being the consideration of substitute for House files number 8 and 27, a bill for an act providing for the appraisement of property taken on execution. Carried.

Mr. Clark, of Des Moines, moved to strike out the 8th section, and in lieu thereof, to insert the following :

That if the property taken be personal property, the owner of such property may execute a bond to the officer holding the execution, in double the value of such property as appraised, with two sufficient sureties, to be approved by the officer, conditioned for the safe return of such property, or its value, in other property, to be appraised, to meet the execution in his hands; in which event, the property shall be returned to the owner, and not offered again oftener than once in six months, and if not sold for

two-thirds of its appraised value, when offered, it shall be returned to the owner, by his giving the security, as above required. The motion was lost.

Mr. Caldwell moved to strike out the 8th section, and substitute in lieu thereof the following: Personal property remaining unsold for want of bidders, after having been appraised and offered for sale under this act, shall not be again offered for sale for a period of ninety days from the day first fixed for sale, after which time the said property may be again offered for sale, and may be sold at not less than one half the value thereof as first appraised, and if not then sold, may be again offered for sale after the expiration of ninety days, and at such third offer may be sold to the highest bidder, without respect to appraisement. Personal property remaining unsold for want of bidders after having been appraised and offered for sale, shall remain in the custody of the officer, unless the defendant in the execution, or some one for him, shall execute a bond with one or more sufficient sureties, to the officer holding the execution, in a sum equal to the appraised value of such property, conditioned for the return and delivery of such property, or its appraised value, to the officer holding the execution, or any subsequent execution issued on the said judgment, on demand at any time after the lapse of ninety days from the date when said property was offered for sale and remained unsold; *Provided*, That said bond shall be of no force or virtue in law, after six months from the date thereof, unless the said property shall have been demanded within said time. *Provided, further*, That if in the opinion of the appraisers any personal property levied upon is liable to waste or decay, they may name in their return a day beyond which they deem it unsafe to delay sale of such property, or any part of it, and in that case such property shall be disposed of within the time fixed by the appraisers without respect to the value as aforesaid. *Provided, further*, That this act shall not apply to, nor shall property be appraised when taken on execution issued upon any judgment recovered upon a bond given under the provisions of this section.

Which amendment was adopted.

Mr. Williams moved to strike out "ninety" and insert "sixty," wherever it occurs in the 8th section. Lost.

Mr. Dunlavey moved to amend section 10, as follows: Strike out all after "costs," in the 4th line.

Mr. Clark, of Johnson, moved to amend the amendment as follows: After "costs," in fourth line, strike out and insert "for examining the records of the county, and procuring an abstract, as hereinbefore mentioned, the officer shall be entitled to charge and collect a fee of \$1,00, to be taxed and collected, as other costs." Lost.

Mr. Dunlavey's amendment was then adopted.

Mr. Reed moved to amend section 10 as follows: To strike out after "each," in the second line to "the" in the fourth line. Carried.

Mr. Ellis moved further to amend section 10 as follows: To add the words, "Provided they claim the fees at the time of the appraisal of property and notify the officer thereof. Carried.

Mr. Reed moved to further amend section 10 as follows: After "shall" in the first line, insert "each." Carried.

Mr. Bereman moved to insert a new section, to be numbered, eleven, as follows:

SECTION 11. This act shall not be so construed as to prevent the officer from selling the property levied upon without appraisal, whenever the defendant in the execution waives, in writing, after such levy, his right to have the said property appraised, as in this act provided.

Which was carried.

Mr. Bereman moved to add a new section, No. 12, as follows:

SECTION 12. Whenever, in the opinion of the officer making the levy, and the appraisers summoned to make such appraisal, it appears that the real estate cannot be divided without injury to the whole property, and also, that the whole value of said property exceeds that of the whole debt and costs, then said officer may sell the same without appraisal.

Which was lost.

Mr. Williamson, of Louisa, moved to amend section one as follows: Insert "all" between "that" and "property," and strike out "hereafter" in first line. Lost.

Mr. Williams moved to amend section one as follows: After "State" in the second line, insert "upon judgments rendered upon contracts and causes of actions hereafter to be made or arising." Lost.

Mr. Caldwell moved to amend section nine as follows:

SECTION 9. *And be it further enacted*, That when real estate has been levied upon and appraised, as hereinbefore mentioned, it shall be the duty of the officer holding the execution, to examine the records of the county in which such property is situated, and if there appear of record any incumbrance or lien upon such real estate prior and superior to the lien of the judgment on which the execution was issued, to procure an abstract of the records of the county, showing the nature of such incumbrance or lien, the date, and amount thereof appearing to be due, which abstract shall be attached to or endorsed on such execution, and notice thereof shall be given to the plaintiff or his attorney, if either reside in his county, and if it do not satisfactorily appear against the time fixed for sale, that such incumbrance or lien has been previously satisfied in whole or in part, then the officer selling shall deduct from the appraised value of the property, the whole amount appearing due on such incumbrance or lien, and in such case two-thirds of

the appraised value within the meaning of section six of this act, shall be two thirds of the appraised value after deducting therefrom the whole amount of such incumbrances or liens: *Provided nevertheless*, That in case less was due on such incumbrance or lien as aforesaid, than was deducted by the officer as aforesaid, such excess with interest from the time of the purchase, shall be and remain a permanent lien until paid, upon the land so purchased, in favor of the defendant in execution, whose property was so taken, and such lien shall date and take effect according to the priority of the incumbrance or lien by which it was computed by the officer as aforesaid. *Provided, further*, That in case such defendant in execution, whose property is sold as aforesaid, shall afterwards be compelled to pay or satisfy, in part or whole, out of property other than that sold as hereinbefore provided, the indebtedness which formed the incumbrance or lien so as aforesaid deducted from the appraised value, then such amount as such defendant has been compelled to pay out of other property, shall be and remain a lien in his favor, on the real estate so sold to such purchaser, against all persons, and to the extent of the amount so paid by such defendant, with interest and costs, shall take effect from the date of record of the original incumbrance or lien satisfied by him, to the end that such defendant in execution shall not be compelled twice to pay the same debt.

Carried.

Mr. Jennings moved to reconsider the vote taken yesterday upon the motion to amend section seven by striking out "one year" in the third line, and "year" in the sixth line, and demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner Campbell, Claggett, Cottell, Cowing, Curtis, Gniffke, Hall, Hoag, Jennings, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Moser, Noble, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Rosenkrans, Stanton, Tompkins, Whitaker, Williams, and Mr. Speaker—36.

The nays were—Messrs. Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Crawford, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Haskall, Harris, Hedges, Hotchkiss, Hunt, Le Lacheur, Macomber, McQuinn, Mitchell, Morehead, Parker, Quinn, Robinson, Ruddick, Sabin, Shipman, Stevens, Streeter, Williamson of Louisa, Withrow, Witter, Wright—37.

Absent or not voting—Beal, Davis of Jasper, Gillett, Gurley, Jones, Kellogg, Lambert, Millard, Merrill, Price of Muscatine, Robb, Taylor and Williamson of Warren.

The motion to reconsider did not prevail.

Mr. Shipman, by leave, offered the following resolution:

Resolved, That the Secretary of State be instructed to furnish the same stationery, &c., that has been furnished to members of the Senate.

Upon which the yeas and nays were demanded and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Des Moines, Conner, Crawford, Davis of Johnson, Dunlavey, Gniffke, Goodrell, Gue, Hall, Hedges, Hoag, Hotchkiss, Hunt, Macomber, Mangold, McQuinn, Noble, Parker, Price of Lee, Quinn, Riddle, Robinson, Rosenkrans, Ruddick, Shipman, Streeter, Williams, Withrow, Witter, and Mr. Speaker—37.

The nays were—Messrs. Bereman, Barnes, Bracewell, Bemis, Campbell, Clark of Jefferson, Claggett, Cottell, Cowing, Curtis, Doggett, Dennison, Ellis, Glasgow, Haskall, Harris, Jennings, Le Lacheur, Lynch, McCullough of Jackson, McCullough of Lee, Mitchell, Morehead, Moser, Paulk, Peet, Reed, Rees, Sabin, Stanton, Stevens, Tompkins, Whitaker, Williamson of Louisa, Wright—35.

Absent or not voting—Beal, Bennett, Davis of Jasper, Gillett, Gurley, Jones, Kellogg, Lambert, Millard, Merrill, Price of Muscatine, Robb, Taylor, Williamson of Warren.

The resolution was adopted.

Mr. Claggett, by leave, presented a petition from citizens of Lee county, asking that improvements on real estate be exempted from taxation, which was referred to the committee on ways and means.

Mr. Hall, by leave, offered the following resolution:

Resolved, That the Secretary of State furnish to the Reporters of the Daily Iowa State Journal and Daily Iowa State Register, one copy each, of the Supreme Court and Geological Reports, Constitutional Debates, documents, &c., ordered to the members of the House, if the same are in possession of the State.

Mr. Claggett moved to add one copy of each to the public library at Keokuk.

Mr. Clark, of Des Moines, moved to add one copy of each to the Historical Society at Burlington.

Mr. Bowdoin moved to lay on the table. Carried.

Mr. Jennings moved that the House do now adjourn. Carried.

HALL OF REPRESENTATIVES,
Tuesday, February 21st, 1860. }

House met pursuant to adjournment.
Prayer by the Rev. Mr. Chamberlain.

PETITIONS.

Mr. Wright presented a petition from citizens of Cedar county, asking that land sold under foreclosure of mortgage shall not be so sold without appraisement; and when so sold, be subject to redemption within a reasonable time; which was referred to the committee on the judiciary.

Mr. Baker presented petitions from citizens of Clinton county, asking that a new county be formed from Clinton, Cedar, Scott, Jones and Jackson counties; which were referred to the committee on county and township organization.

Mr. Tompkins presented a petition from citizens of Tama Co., asking for the repeal of the amendments made to the prohibitory liquor law, approved March 25, 1858; which was referred to the select committee on the liquor law.

Mr. Noble presented a petition of citizens of Fayette county, asking that a portion of the Iowa land grant revert to the general government, on the passage of a grant of land to a road from McGregor westward; which was referred to the committee on public lands.

Mr. Mitchell presented petitions from J. M. Hedrick, and others, asking for a change in the laws respecting railroads and incorporations; which were referred to the committee on railroads.

Mr. Bowdoin presented a petition from citizens of Floyd county, asking for a liberal appropriation for the support of teachers' institutes; which was referred to the committee on schools and State University.

Mr. Bowdoin presented a petition of citizens of Cerro Gordo county, asking that the lands forfeited by the Iowa Central Railroad Company may revert to the general government, upon the giving of an equally liberal grant to a railroad from McGregor westward; which was referred to the committee on public lands.

Mr. Bowdoin presented a petition from citizens of Floyd county, on the same subject, which was referred to the same committee.

Mr. Cowing presented a petition from citizens of Poweshiek Co., asking for the passage of a law authorizing civil officers to search for and destroy intoxicating liquor; which was referred to the select committee on the liquor law.

RESOLUTIONS.

Mr. Morehead offered the following resolution :

Resolved, That the committee on judiciary enquire into the expediency of a majority of all the directors of any railroad company in this State being actual, *bona fide* residents of this State, and to report by bill or otherwise.

Which was adopted.

Mr. Wright, from the committee on claims, by leave presented the following reports:

The committee on claims, to whom was referred senate file number 74, have had the same under consideration, and have instructed me to report the bill back with the following amendments, and recommend its passage: Strike out all between the enacting clause, and the word "being," in the seventh line, and insert the following:

1st. That the treasurer of Wayne county, Iowa, be and is hereby directed to pay to William McHargue, or order, the sum of one hundred and forty-six dollars and sixty-six cents, out of the school funds in his hands, in manner as follows: one hundred dollars out of the permanent fund, and forty-six dollars sixty-six cents out of any temporary fund not otherwise appropriated.

2d. Strike out the second section, and insert the following: The treasurer of said county shall take duplicate receipts for the said sums of money, one of which he shall immediately forward to the Auditor of State.

Mr. Stanton offered the following joint resolution:

WHEREAS, There appears to be a disposition to make an appropriation; an insatiable desire to be benevolent at the public expense, towards ourselves; and believing that it is more in accordance with the dictates of true benevolence to give than to receive, therefore, be it

Resolved, (The Senate concurring,) That the Secretary of State be, and he is hereby empowered and required to procure and have furnished to each convict in the Penitentiary of this State, one well bound Bible.

Which was adopted.

Mr. Bowdoin, from the committee on schools and State University, made the following reports: The committee on schools and State University, to whom was referred the petition of D. Lothrian and others, asking for change in school laws, report that, in their opinion, it is not advisable to make any amendments, as asked for.

The committee on schools and State University, to whom was referred resolution of C. Beal, in regard to the pay of school fund commissioners, report the same back to the House, and recommend that it be referred to the committee on ways and means.

The committee on schools and State University, to whom was referred house file number 45, "an act amendatory of an act providing for the management of the school fund and sale of school lands," have had the same under consideration, and have directed me to report the same back to the House with the recommendation

that it be referred to the committee on ways and means, which have the subject matter of the same under consideration.

E. G. Bowdoin, Chairman.

The committee on schools and State University, to whom was referred a resolution directing them to inquire into the expediency of repealing the law imposing two per cent per month forfeiture on delinquent interest due the school fund of this State, have directed me to report the same back to the House, with the recommendation that it be referred to the committee on ways and means.

Bowdoin, Chairman.

The committee on schools and State University, to whom was referred the petition of L. B. Pierce, and twenty-eight others, teachers of Des Moines county, asking that the office of Co. Superintendent of common schools may be restored, and that officer reinstated, with full powers and compensation, as before the recent change in the law, have had the same under consideration, and directed me to report that, in their opinion, it is not expedient to make any change in the present law in relation to that officer.

In behalf of the committee,

E. G. Bowdoin, Ch'm.

The committee on schools and State University, to whom was referred the petition of F. Humphrey, and sixty others, citizens of Linn county, asking that the act recently passed by the Board of Education may be so amended that it *may* or *shall* be the duty of the County Superintendent *to visit* the schools of his county at least twice a year, have directed me to report that, in the opinion of the committee, it is not advisable to make any change in the law relative to the office of County Superintendent.

E. G. Bowdoin, Chairman.

The committee on schools and state university to whom was referred a resolution instructing them to enquire into the expediency of limiting the inhabitants of a township district in voting a special tax for school house purposes, have had the same under consideration, and have directed me to report that no further legislation is necessary on this subject, as such is now the law

E. G. Bowdoin, Chairman.

Which reports were concurred in.

Mr. Cowing from the committee on engrossed bills submitted the following report:

The committee on engrossed bills beg leave to report that they have examined the following bills and have found the same correctly engrossed:

House file number 190, a bill for an act to amend an act entitled an act for the encouragement of agriculture, approved January 28th, 1857.

House file number 38, "a bill entitled an act to amend section 20 of an act entitled an act authorizing general banking in the State of Iowa," approved March 22d, 1858.

House file number 137, "an act in amendment of chapter 31 of the laws of the 4th General Assembly of the State of Iowa, entitled an act granting to rail road companies the right of way."

Mr. Gillett from the committee on county and township organization, presented the following reports:

The committee to whom was referred a petition of citizens asking that roads be laid out on all of the township lines of the State, consider the same impracticable, and recommend that the prayer of the petitioners be not granted.

C. GILLETT, Chairman.

The committee to whom was referred house file number 140, have had the same under consideration, and have instructed me to return the same to the house and recommend that it do not pass.

C. GILLETT, Chairman.

The committee to whom was referred three petitions from citizens of Hancock, Wright and Winnebago counties, have instructed me to return the same to the house and recommend that the prayer of the petitioners be not granted.

C. GILLETT, Chairman.

The committee to whom was referred house file number 149, an act asking for an election to change the boundaries of Worth and Winnebago counties, with petitions, have had the same under consideration, and request me to state to the house that they are unable to agree, and ask that it may be referred back for the action of the house.

C. GILLETT, Chairman.

The committee on county and township organization to whom was referred house file number 135, have had the same under consideration, and instructed me to refer the same back to the house, with the request that it be referred to the judiciary committee.

C. GILLETT, Chairman.

Which reports were received.

House files number 140 and 149 were passed upon the file and house file number 135 referred as recommended.

Mr. Gue from the committee on agriculture, made the following report: The committee on agriculture to whom was referred various bills and petitions for a law punishing the offense of stealing and driving off and slaughtering stock, have had the matter under consideration and have directed me to report the following bill and recommend its passage.

B. F. GUE, Chairman.

Which was received, and the bill passed on the file.

Mr. Baker from the select committee on the penitentiary, submitted the following report and resolution: The special committee on the State Penitentiary, report the following resolution.

N. B. BAKER, for com.

Resolved, (the Senate concurring,) That there be a committee of five appointed, three on the part of the house and two on the

part of the senate, to visit the State penitentiary, and report upon the present condition of that institution, and that the said committee have the same power to send for persons and papers as the special committee on the penitentiary now have.

Mr. Claggett offered the following amendment: *Resolved*, (the senate concurring) that the joint committee heretofore appointed to investigate the affairs of the insane asylum, be likewise instructed to make an investigation into the affairs and condition of the state prison, and the amount necessary to be appropriated for that institution, and make report to this house as soon as practicable, during this session of the General Assembly. Which was lost.

Mr. Shipman offered the following amendment: That the committee be instructed to enquire whether if it requires \$190,000 to finish up the penitentiary, it would not be better to expend the money at Des Moines, on a new penitentiary, and report the same to this house. Which was adopted.

And the resolution, as amended, was adopted.

The Chair appointed as such committee, Messrs. Claggett, Sabin and McCullough of Jackson.

Mr. Ellis, by leave, offered the following resolution:

Resolved, That the select committee on the liquor law be requested to enquire into the expediency of repealing all laws that have been enacted since 1851, in relation to the manufacture and sale of intoxicating liquors, and thereby revive the law that was in force under the Code, and report by bill or otherwise.

Which was adopted.

Mr. Hall, by leave, offered the following resolution:

Resolved, That the committee on the judiciary be instructed to enquire and report to this House, whether in case the franchises and railways of the companies who received the benefits of the land grants under the act of July 15th, 1856, should be sold under a deed of trust or by judicial sale, the purchasers would be bound to carry out the trust allowing the United States to transport over said roads, free of charge, troops and other property of the United States, as in accordance with the act of Congress of 14th of May, 1856, and whether any legislation is necessary to protect and regulate such right, and that they report by bill or otherwise.

Which was adopted.

Mr. Sabin, by leave, introduced house file number 194, a bill for an act to legalize the acts of Forest City township district, Howard county, Iowa; which was read a first and second time, and referred to the committee on the judiciary.

The Chair announced that the time had now come to take up the special order of the day, being substitute for house file number 113, a bill for an act for the re-organization of counties and townships.

Mr. Robb moved to postpone it, and make it the special order for Thursday next, at 10 o'clock. Carried.

Mr. Claggett asked the House to excuse him from serving on the committee of investigation of the affairs of the Penitentiary; which was not granted.

Mr. Kellogg moved to reconsider the vote, and the vote was reconsidered and Mr. Claggett excused.

The Chair then appointed Mr. Curtis.

Mr. Curtis asked to be excused; the House refused to excuse him.

Mr. Kellogg moved to take up house file number 38, a bill for an act to amend section 20 of the act authorizing general banking in the State of Iowa.

The bill was taken up and read a third time.

Mr. Clark, of Johnson, moved to indefinitely postpone the bill. Lost.

On the question, "shall the bill pass?" the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Curtis, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hoag, Hunt, Jennings, Kellogg, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Rees, Robinson, Rosenkrans, Robb, Sabin, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, and Mr. Speaker—53.

The nays were—Messrs. Bereman, Blackford, Bemis, Clark of Johnson, Clark of Jefferson, Cottell, Glasgow, Haskall, Hotchkiss, McCullough of Jackson, Mitchell, Morehead, Moser, Reed, Riddle, Ruddick, Shipman, Stanton, Streeter, Taylor, Witter, Wright—22.

Absent or not voting—Messrs. Bowdoin, Doggett, Davis of Jasper, Gurley, Jones, Lambert, Millard, Merrill, Price of Muscatine, Stevens, and Williamson of Warren.

The bill passed and the title was agreed to.

Mr. Baker moved to take up house file number 126, "a bill for an act regulating the changing of county seats."

The bill was taken up and read a second time.

Mr. Peet moved to amend section one as follows: add, "except in cases where elections have already been ordered by the county court of any county."

Mr. Harris moved to amend the amendment as follows: Whenever a county seat is proposed to be removed, the county judge for such county shall have power to order an election on the presentation of a petition signed by a majority of the legal voters of said county, as shown by the last census report of the county, in which petition there shall be named the place to which said petitioners wish said county seat to be removed, and after a majority of the electors of such county voting thereon, shall have voted in favor of the proposed location, as hereinafter provided, to make and estab-

lish such county seat: *Provided*, That such removal shall not be made oftener than once in five years.

Mr. Noble offered a substitute for the whole bill.

Mr. Macomber moved to amend the substitute as follows: Strike out "five" in section 1, and insert "two;" strike out "two-thirds" in section 2, and insert "a majority."

Mr. Mitchell moved to re-commit the whole matter to the committee on county and township organization. Carried.

Mr. Bennett moved that when this House adjourns, it be until 9 o'clock on Thursday morning next. Carried.

Mr. Davis, of Johnson, by leave, introduced house file number 195, a bill for an act to amend the school law passed by the Board of Education at its session Dec. 18th, 1859;" which was read a first and second time, and referred to the committee on schools and State University.

Mr. Ellis asked leave of absence until next Tuesday night; granted.

Mr. Williamson, of Warren, asked for leave of absence for four days longer; granted.

Mr. Lynch, by leave, introduced house file number 196, a bill for an act to amend section 4, of chapter 46, of the acts of the 5th General Assembly; which was read a first and second time, and referred to the committee on county and township organization.

Mr. Streeter moved to adjourn; lost.

Mr. Dennison, by leave, offered the following resolution:

Resolved, That the Secretary of State be required to ascertain from the Commissioner of the General Land Office at Washington, as soon as practicable, a statement showing the exact number of acres of land within the limits of every Congressional and fractional township in the State; and when so ascertained, he be required, within three months thereafter, to make an abstract showing the amount of acres in each county, and in each Congressional township in said county; also, the number of acres not subject to taxation, specifying for what reason said lands are not taxable, (whether school lands, railroad lands, &c., &c.) When the list is prepared, it shall be his duty to send by mail, twenty copies to every county judge, to be distributed among the treasurers and assessors. On the first of January of each year, it shall be the duty of the Secretary of State to make out and forward to the same officers a similar list, with such corrections as he may have been able to make.

Which was referred to the committee on public lands.

Mr. Bennett moved to adjourn. Lost.

Mr. Rees moved to take up house file number 57, a bill for an act to repeal part of section 6, of chapter 93, of the acts of the 7th General Assembly. Carried.

Pending which, Mr. Williams moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Thursday, Feb. 23, 1860. }

House met pursuant to adjournment.

The Journal of 21st was read, pending which Mr. Moser moved that the further reading of the journal be dispensed with. Carried.

The question being upon the amendment to the amendment by Mr. Goodrell to house file No. 57, which was adopted.

Mr. Claggett moved to amend by striking out two years and insert one year. Motion lost.

The question then being upon the amendment of the Senate, as amended, the ayes and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Barnes, Bracewell, Clark of Jefferson, Cottell, Dennison, Goodrell, Gue, Hoag, Hunt, Macomber, Noble, Parker, Price of Lee, Shipman, Williams, Williamson of Louisa, Witter, and Mr. Speaker—20.

The nays were—Messrs. Bowdoin, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Haskall, Harris, Hedges, Hotchkiss, Jennings, Le Lacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Morehead, Moser, Paulk, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Taylor, Tompkins, Whitaker—48.

Absent or not voting—Beal, Gurley, Hall, Jones, Kellogg, Lambert, McCullough of Jackson, McQuinn, Millard, Merrill, Peet, Price of Muscatine, Quinn, Riddle, Streeter, Williamson of Warren, Withrow and Wright.

The amendment was not concurred in.

Mr. Bereman moved that the House go into committee of the whole upon substitute for house file No. 113, a bill for an act creating a county Board of Supervisors, defining their duties and the duties of certain county officers. Carried.

The House then went into committee of the whole, Mr. Bereman in the chair. The committee rose, reported progress, and asked leave to sit again, which was concurred in.

Mr. Baker moved that the House now adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The following communications were taken from the Speaker's desk :

A communication from the Secretary of State relative to Clarke's Reports, which was referred to committee on Judiciary.

Message from the Senate :

Mr. SPEAKER:—I am directed to inform the House that the Senate has passed Senate File No. 86, An act prohibiting the officers of counties and other municipal corporations from dealing in the indebtedness of their counties or corporations, in which the concurrence of the House is asked.

J. H. SANDERS.

Which bill was read first and second time and ordered to be read a third time on to-morrow.

Mr. SPEAKER:—I am directed to inform the House that the Senate has concurred in the concurrent resolution of the House in relation to an investigation of the affairs of the Penitentiary, and that Messrs. Bowen and Udell have been appointed as said committee on the part of the Senate.

J. H. SANDERS, Sec'y of Senate.

ENGROSSED BILLS.

Mr. Cowing, from the committee on engrossed bills, submitted the following report :

The committee on engrossed bills beg leave to report that they have examined substitute for House file No. 8 and 27, "a bill for an act providing for the appraisement of property taken on execution," and have found the same correctly engrossed.

Mr. Goodrell offered the following resolution :

Resolved, That the Secretary of State be required to communicate to the House the number of copies of each volume of G. Greene's Reports, taken by the State, the amount paid therefor, the date of payment, the date of the publication of each volume, and the number now remaining in the possession of the State.

Which was adopted.

Mr. Claggett moved that House File No. 105 be made the special order on Monday next. Carried.

House File No. 150, a bill for an act providing for the appraisement of property taken on execution, being a substitute for House File Nos. 8 and 27, was read a third time, and upon the question, shall the bill pass, pending which, Mr. Withrow moved a call of the House. Messrs. Riddle, Kellogg, and Taylor were absent and unexcused. Mr. Cowing moved that further proceedings under the call be dispensed with. Lost. The Sergeant-at-Arms was ordered to bring in the absentees, pending which Mr. Bennett moved that the House take a recess of ten minutes. Lost. On motion of Mr. Robinson, further proceedings under the call were dispensed with.

The question then being upon the passage of the bill, the yeas and nays were called, and were as follows:

The yeas were—Messrs. Beal, Bowdoin, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Kellogg, Lambert, Lynch, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Quinn, Rees, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—49.

The nays were—Messrs. Baker, Bereman, Barnes, Blackford, Bremner, Clark of Des Moines, Claggett, Conner, Cottell, Gniffke, Hoag, Jennings, Le Lacheur, Mangold, McCullough of Lee, Noble, Paulk, Peet, Price of Lee, Reed, Robinson, Robb, Taylor, Whitaker, Williams—25.

Absent or not voting—Bemis, Curtis, Gurley, Hall, Jones, Merrill, Price of Muscatine, Riddle, Sabin, Streeter, Williamson of Warren and Wright.

The bill passed and title was agreed to.

Mr. Bremner moved that the House resolve itself into committee of the whole to consider substitute for House File number 113. Carried.

Mr. Caldwell moved a reconsideration of the vote just taken, for the purpose of allowing Mr. Kellogg to vote upon the passage of House File 150. Carried.

The House then resolved itself into a committee of the whole upon House File 113, Mr. Bereman in the chair.

The committee rose, reported progress, and asked leave to sit again, which report was concurred in.

On motion of Mr. Robb, the House adjourned.

HALL OF REPRESENTATIVES, }
Friday, Feb. 24. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Waring.

The Journal of yesterday read and approved.

On motion of Mr. Rosenkrans, the following message from the Senate was taken up.

M. SPEAKER:—I am directed by the Senate to inform the House

that the Senate has passed the following resolution, in which the concurrence of the House is asked :

Resolved, (The House concurring,) That there be appointed a committee of two on the part of the Senate, and three on the part of the House, to examine and report the milage to which the members of the present General Assembly are entitled, and that Messrs. Ainsworth and Hastings have been appointed as such committee on the part of the Senate.

J. H. SANDERS, Sec'y of Senate.

Which resolution was concurred in and Messrs. Davis of Johnson, Jennings and Rosenkrans, appointed said committee on the part of the House.

Mr. Baker introduced the following resolution :

Resolved, That the special committee on State Printing, &c., be authorized to send for persons and papers, and that they be authorized to employ David M. Sells as clerk for one week. Carried.

Message from the Senate :

Mr. SPEAKER:—I herewith return House File No. 88, a bill for an act to amend an act to confer certain powers on towns and cities for school purposes.

Also, House File number 174, a bill for an act in relation to the Des Moines River Improvement, and abolishing the office of commissioner thereof, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

PETITIONS.

The following petitions, praying for a repeal of the amendments to the liquor law of 1858, &c., &c. :

By Mr. Davis, of Jasper, from citizens of Jasper county ; by Mr. Shipman, from citizens of Muscatine county ; by Mr. Witter, from citizens of Linn county ; by Mr. Lynch, from citizens of Iowa and Poweshiek counties ; by Mr. McQuinn, from citizens of Benton county ; and by Mr. Millard from citizens of Clark county, were severally referred to the select committee on the liquor law. Mr. Edwards presented a remonstrance from citizens of Appanoose county, praying that no change be made in the present liquor law, which was also referred to the select committee on that subject. Mr. Claggett presented the petition of citizens of Lee county, praying that certain improvements in real estate may be exempted from taxation, was referred to the committee on ways and means.

Mr. Bowdoin presented a petition from citizens of Floyd county, asking for the enactment of a law regulating miller's tolls, so that they shall not exceed one tenth part of all grists, which was referred to committee on agriculture.

Mr. Bowdoin presented the petition of E. H. Morrison and

others, in Floyd county, asking for a liberal appropriation for Teachers' Institutes; referred to committee on schools and State University.

Mr. Blackford presented the petition of citizens of Dickinson county, asking that Osceola county be annexed to Dickinson county, which was referred to the committee on new counties.

Mr. Gue presented a petition from citizens of Scott county, asking the passage of a law creating township collectors of the revenue of the county, &c., &c.; referred to the committee on county and township organization.

Mr. Clark, of Johnson, presented a remonstrance from seventeen members of the 8th Judicial District, against the passage of the new Code, &c., which was referred to the committee of judiciary.

Mr. Clark, of Johnson, presented the petition of George D. Crosthwait and others, asking relief; referred to committee on judiciary.

Mr. Robt presented a communication from residents on Little Sioux River, asking relief from the ravages of Indians in that part of the State, was referred to the committee on military affairs.

Mr. Robinson presented a petition from citizens in Louisa and Des Moines counties, praying for a law to allow them to levy a tax on the overflowed lands, to construct the levee now partly built, &c., &c.; referred to committee on agriculture.

REPORTS OF COMMITTEES.

The committee on the judiciary, to whom was referred house file number 124, "an act relating to practice in the Supreme Court of the State of Iowa," have had the same under consideration, and have instructed me to report that the subject matter of the bill is provided for in the Civil Code, and to recommend that the bill be postponed until the 5th day of July next. RIDDICK.

Report laid on table.

REPORT.

The committee on the judiciary, who were directed by the annexed resolution to "report upon the validity and effect of the several joint resolutions passed at the last session of the General Assembly," have had the subject under consideration, and beg leave to report:

First—That in the Congress of the United States, joint resolutions are in use as a form of legislation chiefly for administrative purposes of a local or temporary character, and are in that body regarded as bills, and governed by the same rules, and that this is so under Sec. 7, Art. 1, of the Constitution of the United States.

Second—That in some of the States this mode of legislation is fully recognized by their Constitutions, and for the purposes intended, joint resolutions are placed on an equal footing with bills, properly so called, and are governed by like rules of proceeding.

Third—That joint resolutions are not expressly recognized by the Constitution of this State; and in the opinion of the committee, a joint resolution, viewed as a law, properly so called, has no force or validity; inasmuch as the style invariably used in such resolutions is a departure from the *style* strictly prescribed by the Constitution itself.

Your committee are, however, of the opinion that the General Assembly may, under parliamentary usage, properly *direct* and *control*, by means of joint resolutions, the affairs and property of the State, or their own proceedings, as heretofore customary.

Your committee take leave to suggest, in this connection, that the General Assembly may accomplish by a simple concurrent resolution, all that may be accomplished by a joint resolution treated and framed as a bill.

RUSH CLARK,

From Committee on Judiciary.

Which report was concurred in.

AMENDMENTS TO THE CODE, PROPOSED BY THE JUDICIARY COMMITTEE.

CHAPTER XIV.

Section 219. Strike out first clause, and insert, "the notice shall be served as follows;" sub-division 1st, strike out the second "or," and insert "and;" sub-division 2d, strike out the figure "2d;" sub-division 3d, strike out "3d" and insert "2d;" also, strike out "he be the head of a family and;" in line 3d of this sub-division say "the" instead of "his;" sub-division 4th, make "3d" in place of "4th."

Section 220. Strike out the entire section.

Section 221. After "left," in line 5, insert "and that it was the usual place of residence of defendant;" after "left," in line 7, insert, "or a sufficient reason for omitting to do so;" strike out in line 8, the word "defendant's," and insert "the."

Section 222. Strike out the entire section.

Section 224. Strike out all after the word "thereafter," in line 10.

Section 226. Strike out the entire section.

Section 229. Strike out in line 4, the words, "if made by one not such officer," and insert, "if made without the State, or by one not such officer within the State."

Section 238. Strike out in line 3, "either" and "or without;" strike out from the word "publication" to the word "when," on page 30.

Section 239. Strike out "Capital," and insert "next nearest county."

Section 241. Strike out "a copy of;" also, "and petition by delivery, or tender of delivery thereof, to the defendant."

CHAPTER XVI.

Section 255. Strike out "on or before the morning," and insert "before noon."

Section 256. Strike out "on or before the morning," and insert "before noon."

Section 257. Strike out "on or before the morning," and insert "before noon."

Section 258. Strike out "thirty" and insert "sixty;" strike out "on or before the morning," and insert "before noon."

Section 259. Strike out "on or before the morning," and insert "before noon."

Section 260. Strike out "on or before the morning," and insert "before noon."

Section 262. Strike out "thirty" and insert "sixty;" and strike out "defence," and insert "denial and the proof documentary."

Section 264. Strike out "if," and insert "although."

Section 265. After "Court," insert "for good cause shown."

Section 274. Strike out all after 'case,' in second line.

Section 275. Strike out 'and served.'

Section 277. After 'office,' insert 'and notice thereof on the notice book;' and strike out, 'and the service of copy thereof.'

Section 282. Sub-division 6th, after '327,' insert '367.'

Section 292. Strike out the entire section.

Section 320. Fill blank with '1443.'

Section 327. After 'indebtedness,' insert 'the original or,' and strike out all after 'pleading,' beginning in the eighth line.

Section 332. Strike out the figures, and insert '328, 329, 330.'

Section 343. After 'reply,' in the 2d line, insert 'and;' after 'verified,' insert 'it must be.'

Section 368. For 'the defendant,' in the 2d line, read 'plaintiff.'

Section 370. Before 'else,' insert 'unless a reasonable excuse be set forth in the pleading for not so annexing the same.'

Section 381. Strike out, 'but a copy of such amendment shall be served on the defendant or his attorney.'

Section 383. After 'may,' in first line, insert 'on motion of either party;' after 'proper,' in second line, insert 'permit such party to.'

Section 390. Strike out 'process, pleading or.'

Section 397. Read 'second,' for 'secondly;' in the sixth line of sub-division 3 thereof, after 'Supreme Court,' insert, 'except such as may be necessary to explain and apply any bill of exception.'

Section 400. For 'file,' read 'files.'

Section 404. After the second 'order,' insert, 'unless the court, for good cause, shall direct otherwise.'

Section 412. For 'first,' read 'second.'

Section 413. For 'omission,' read 'error.'

Section 416. Strike out all after 'shall,' and insert 'be entered on the notice book.'

Section 433. For 'may,' read 'shall.'

Section 436. Before 'unsoundness,' read 'inability to understand the English language.'

Section 438. Read 'affinity or consanguinity,' instead of 'consanguinity or affinity.'

Section 444. After this section, place sections 451, then 452, 457, 458, then 445, and then on.

Section 445. Read 'argument,' for 'evidence.'

Section 448. Read thus: 'The Court must read over all the instructions which it intends to give, and none others, to the jury, and must announce them as given, and shall announce as refused, without reading to the jury, all those which are refused, and must write the words 'given,' or 'refused,' as the case may be, on the margin of each instruction.'

Section 450. Strike out, 'or instruction.'

Section 453. Strike out all after 'writing,' in the second line, and after 'may,' insert 'also.'

Section 454. Strike out, 'if written.'

Section 455. Strike out 'instruction and;' also, strike out 'the same is finally submitted to the jury,' and insert therefor, 'the retiring of the jury;' also, strike out "instruction or."

Section 456. Strike out, 'expressed in writing.'

Section 457. Strike out the first clause.

Section 469. Strike out, 'if so demanded by either party.'

Section 476. Read for 'fact,' 'facts,' in the sixth line.

Section 480. Strike out the entire section.

Section 493. For 'equitate,' read 'equitable.'

Which report was received.

The judiciary committee, to whom was referred the petition from citizens of Worth county, for legalizing Hartland township, report that the laws are adequate now; which report was concurred in.

The remonstrance presented by Mr. Glasgow, against the passage of a bill legalizing railroad bonds heretofore issued, &c., was reported back with a recommendation that it be laid on the table; which was concurred in.

Also, senate file number 54, "a bill for an act to amend section eight, of chapter one hundred and four, session laws of 1853," was reported back, and referred to committee on agriculture; also, senate file number 65, a bill for an act concerning appeals from the District Court of Jefferson county, Iowa, to the Supreme Court; was referred back, and its passage recommended.

REPORTS OF COMMITTEES.

The judiciary committee have had under consideration house file 87, and instruct me to report the same back with amendment.

CLARK of Johnson,
From Judiciary Committee.

The judiciary committee, to whom was referred the annexed bill, being house file 163, have instructed me to report the same back without amendment, and a majority of the committee recommend its passage.

CLARK of Johnson,
From Committee.

The bill was read a third time, and recommitted.

Senate file number 50, a bill for an act concerning apprentices, was referred back, and its passage recommended.

Mr. Caldwell moved to strike out the words, "or may hereafter apprentice," in section one.

House file number 153, a bill for an act requiring county treasurers to pay county warrants in the order in which they are issued, was reported back, with a recommendation that it do not pass.

The resolution referred to the committee on judiciary enquiring into the expediency of repealing section 2528, chapter 136, of the Code, &c., &c., was referred back and requested that it be referred to the committee on ways and means; concurred in; also, the resolution referred to the committee on judiciary, enquiring whether the property of railroads should not be taxed like that of individuals, as the Constitution provides, was reported back and requested that it be referred to committee on ways and means; concurred in.

ENGROSSED BILLS.

Mr. Cowing, from the committee on engrossed bills, submitted the following report: The committee on engrossed bills, beg leave to report that they have examined senate file number 80, "a bill for an act to release to Martin McHugo the right of the State by escheat to a parcel of land in Henry county, Iowa," and have found the same correctly engrossed.

ENROLLED BILLS.

The committee on enrolled bills ask leave to report that they have handed to the Governor, for his signature, house file number 173, an act to amend an act entitled an act to amend chapter one hundred and fifty (150) of the Seventh General Assembly.

J. W. DENNISON, Chairman.

By leave, Mr. Claggett presented house file number 198, a bill for an act entitled an act to annex the township of Van Buren to the township of Jackson, Montrose and Des Moines, in Lee Co., for judicial purposes, was read a first and second time, the rule

suspended and the bill read a third time, and upon the question, Shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—68.

The nays were—None.

Absent or not voting—Messrs. Beal, Bemis, Campbell, Cowing, Curtis, Gurley, Hall, Jones, Kellogg, McCullough of Jackson, Merrill, Peet, Riddle, Robinson, Rosenkrans, Sabin, Williamson of Warren, and Wright.

The bill passed and the title was agreed to.

The rule was suspended, and house file number 198, and house file 150, were allowed to go at once to the Senate.

By leave, Mr. Gillett introduced house file number 199, a bill for an act allowing the people to change the boundaries of counties, was read a first and second time, and referred to committee on new counties.

By leave, Mr. Clark, of Johnson, introduced house file number 200, a bill for an act to amend chapter 52 of the Code, in relation to fences; was read a first and second time, and referred to committee on agriculture.

House file number 152, a bill for an act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Improvement as school lands, was read a first and second time, and referred to committee on judiciary.

By leave, Mr. Bereman introduced house file number 201, a bill for an act to amend an act entitled an act to provide a system of common schools, passed by the Board of Education, was read a first and second time, and referred to committee on Schools and State University.

House file number 94, a bill for an act to amend chapter 72 of the acts of the 7th General Assembly, was read first and second time, and referred to committee on judiciary.

House file number 163, a bill for an act to regulate the manner of administering oaths, was read a third time, and on motion, was recommitted to committee on judiciary.

House file number 87, a bill for an act to pre

personal property taken on legal process, was read a second time, and ordered engrossed, and read a third time on to-morrow.

House file number 153, a bill for an act requiring county treasurers to pay county warrants in the order in which they are issued, was amended, read a third time, and on motion, indefinitely postponed.

Senate file number 50, was taken up and read a second and third time, and upon the question shall the bill pass, the ayes and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gurlley, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, and Mr. Speaker—50.

The nays were—Messrs. Bennett, Blackford, Campbell, Clark of Des Moines, Claggett, Doggett, Dunlavey, Ellis, Gue, Haskall, Harris, Hedges, Hotchkiss, Moser, Peet, Riddle, Robinson, Stevens, Taylor, Whitaker, Withrow, Witter—22.

Absent or not voting—Messrs. Beal, Bemis, Conner, Curtis, Hall, Jones, Kellogg, Le Lacheur, McCullough of Jackson, Merrill, Sabin, Williamson of Warren, Wright.

The bill passed and the title was agreed to.

On motion of Mr. Cowing, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Bremner moved that house file number 113, be taken up. Carried.

Mr. Moser offered a substitute.

Mr. Robinson moved a call of the house. Carried. Pending which Mr. Taylor moved that further proceedings under the call be dispensed with. Carried.

Mr. Taylor moved to postpone action on the bill and substitute for ten days, upon which question the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Barnes, Bennett, Caldwell, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hotchkiss, Le Lacheur, McCullough of Lee,

Millard, Mitchell, Moser, Price of Lee, Robinson, Shipman, Stanton, Stevens, Whitaker, Williams, Wright—25.

The nays were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Harris, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Morehead, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter—49.

Absent or not voting—Beal, Bemis, Curtis, Hall, Hedges, Jones, Kellogg, LeLacheur, Merrill, Rees, Sabin, Williamson of Warren and Mr. Wright. Motion lost.

Mr. Shipman moved to postpone till Monday next. Lost.

The question being upon the substitute offered by Mr. Moser, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Barnes, Bracewell, Bennett, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Doggett, Dunlavey, Ellis, Gniffkee, Harris, Hotchkiss, McCullough, of Lee, Millard, Mitchell, Moser, Price of Lee, Reed, Robinson, Shipman, Stanton, Stevens, Taylor, Whitaker, Williams, and Mr. Speaker—30.

The nays were—Messrs. Baker, Bereman, Bowdoin, Blackford, Bremner, Clark of Johnson, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Morehead, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Rosenkrans, Robb, Ruddick, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter—44.

Absent or not voting—Beal, Bemis, Curtis, Hall, Hedges, Jones, Kellogg, Merrill, Riddle, Sabin, Williamson of Warren and Mr. Wright.

The substitute was lost.

Mr. Claggett, by leave, introduced house file number 202, which was laid on the table and ordered printed.

Mr. Macomber moved that the substitute offered by Mr. Moser be printed. Carried.

The substitute for house file number 113 was then taken up by sections and the following amendments offered to section 2, by Mr. Caldwell : In second line after the word "elected," add, "by the legal voters of each civil township;" adopted. By Mr. Robinson, "and one for each ward in an incorporated city containing 5000 inhabitants," which amendment was amended by Mr. Reed, "*Provided*, That when any civil township contains a city or organized town, they shall be entitled to one additional Supervisor." Amendment to amendment lost.

Pending Mr. Robinson's amendment the house adjourned.

HALL OF REPRESENTATIVES, }
Saturday, Feb. 25. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Waring.

Journal of yesterday read and approved.

The question being upon the amendment to section 2, of substitute for house file number 113, offered by Mr. Robinson, was lost.

Mr. Williams offered the following amendment: After "township," in the second line of second section, insert, "but if the population of any such township exceeds five thousand, and is less than ten thousand, there shall be elected one additional Supervisor from each township or townships, and one additional Supervisor for each five thousands of inhabitants over and above ten thousand; the number of inhabitants to be determined by the last preceding State or federal census, said Supervisors to be elected as hereinafter provided, and hold their offices for two years except as hereinafter provided. Lost.

Mr. Williamson of Louisa, moved to amend the amendment as follows: "And one additional one in each incorporated city or town having 8000 inhabitants, and upwards, and for 15000 and upwards, an additional one." Lost.

Mr. Williams' amendment was lost.

Mr. Taylor offered a substitute as follows: "Any city of 8000 inhabitants, shall be entitled to an additional representative."

Mr. Stanton moved an amendment to the substitute as follows: "That each civil township having six thousand inhabitants, shall be entitled to elect one additional Supervisor. Lost.

The question then recurring upon the substitute of Mr. Taylor, Mr. Caldwell moved to strike out "city" and insert "civil township." Carried.

Mr. Bremner moved to amend the substitute as follows: After the words "civil township" add, "and one additional from each town or city containing five thousand, and less than ten thousand, and one additional for each additional ten thousand inhabitants, but in no case shall a town or city be allowed to elect more than five Supervisors, upon which Mr. Claggett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bennett, Bremner, Caldwell, Campbell, Olark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Denison, Gillett, Glasgow, Gniffke, Haskall, Harris, Hedges, Hotchkiss, McCullough of Lee, Price of Lee, Quinn, Robinson, Shipman, Stevens, Whitaker—17.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Blackford, Caldwell, Campbell, Olark of John-

son, Clark of Jefferson, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Haskall, Harris, Hoag, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Witter, and Mr. Speaker—57.

Absent or not voting—Bemis, Curtis, Goodrell, Gurley, Hall, Jones, Merrill, Sabin, Williamson of Warren, Withrow and Wright.

The amendment was lost.

The committee on enrolled bills ask leave to report, that they have examined substitute for house file number 88, a bill for an act to confer certain powers on towns and cities for school purposes, and find the same correctly enrolled.

J. W. DENNISON, Chairmap.

Mr. Taylor's substitute was then adopted.

Mr. Ruddick moved to add to section two, the words "hereinafter provided." Carried.

Mr. Caldwell moved to strike out the words "hereinafter provided," where they originally occur in the section. Carried.

Mr. Gue moved to strike out "two" before years, and insert "one." Lost.

Mr. Williams moved that the house go into committee of the whole upon the bill, which was carried.

Mr. Bereman in the chair, the committee rose, reported progress, and asked leave to sit again.

The report was concurred in

COMMUNICATIONS ON SPEAKER'S DESK.

Message from the Governor.

EXECUTIVE OFFICE, IOWA, }
February 25, 1860. }

Gentlemen of the Senate,

and House of Representatives :

I have this day received from certain citizens of Clay, Cherokee and Woodbury counties, the communications herewith transmitted in regard to depredations said by them to have been committed in those counties by Indians.

As you are now in session, I deem it proper to communicate with you before taking any steps in this matter. The distance from Fort Dodge to the points at which the alleged difficulties exist, is so great as to render the movements of a force from that place very difficult and expensive. Should you deem the use of any troops advisable, I would recommend that the services of persons in the valley of the Little Sioux River be invited and ac-

cepted, and that arms and ammunition, particularly the latter, be furnished them.

As the law now stands, I think I have not power to employ any force except the company organized under the act passed for that purpose at the last session of the General Assembly.

(Signed,)

SAMUEL J. KIRKWOOD.

The communication, with accompanying documents, were referred to the committee on military affairs.

Mr. Shipman, by leave, offered the following resolution :

Resolved, That the chief clerk of this House be authorized to furnish the members, officers and reporters of this House, with such stationery, &c., as was furnished the members of the Senate, by the Secretary of State, and by their own resolution.

Mr. Haskell offered the following amendment: That each member be furnished with a knife and pen, and pay for the same out of their own money, and not out of that of their constituents.

Mr. Ellis offered the following substitute :

WHEREAS, The Senate of the State of Iowa did, at their Eighth Session, pass a resolution requiring the Secretary of State to furnish to each Senator a gold pen and pocket knife; and,

WHEREAS, We, the members of the House of Representatives, believing as we do, that we are as worthy of the spoils of legislative pilferings; therefore, be it

Resolved, That the chief clerk of the House of Representatives be required to furnish to each member of said house, a gold pen and pocket knife of the same quality as those furnished to the Senate.

Mr. Stanton moved to amend the substitute as follows: "When each member shall have furnished the clerk with the money to pay for the same."

Mr. Kellogg moved to strike out "knives and pens," and insert "rubber boots."

Mr. Bennett moved to lay the whole subject on the table. Carried.

Mr. Kellogg moved that when this house adjourn, it be till Monday morning at 9 o'clock. Carried.

Mr. Rees, by leave, introduced house file number 203, a bill for an act to amend section 1249, of the Code of Iowa, which was read a first and second time, and referred to the committee on the judiciary.

Mr. Beal, by leave, introduced house file number 204, a bill for an act to amend section 24 of chapter 154, of the acts of the Seventh General Assembly of the State of Iowa, which was read a first and second time, and referred to the committee on roads and highways.

Mr. Haskell, by leave, presented the petition of W. L. McPherrin and others, asking for a change in the laws respecting railroads, which was referred to the railroad committee.

Mr. Paulk, by leave, presented the petition of John S. Green and others, praying for the enactment of the original prohibitory liquor law, and making the violation thereof felony, which was referred to the select committee on the liquor law.

Mr. Harris, by leave, presented petition from citizens of Audubon county, asking that there be no change made in the office of county Judge, except to increase their salaries, which was referred to the committee on county and township organization.

Mr. Peet, by leave, presented a petition of A. B. Barnes and fifty-one others, asking for a restoration of the original prohibitory liquor law, which was referred to the select committee on the liquor law.

Mr. Beal, by leave, presented two petitions from citizens of Boone county, asking for a repeal of said liquor law, and the enactment of a license law, which was referred to the select committee on the liquor law.

Mr. Cowing, by leave, presented a petition from citizens of Poweshiek county, asking for a re-enactment of the original prohibitory liquor law, which was referred to the select committee on the liquor law.

Mr. McCullough, of Jackson, asked to be excused from serving on the select committee on the Penitentiary. He was excused.

The chair appointed Mr. Robinson in his stead.

Mr. Lambert, by leave, presented a petition of the citizens of New Ireland, Dallas county, asking that an act be passed donating to the citizens of that town, their public square for school purposes, and also the following resolution:

Resolved, That the committee on the judiciary be requested to inquire into the expediency and right of the legislature of the State to appropriate the public square in New Ireland, to the citizens thereof for school house purposes, and report by bill or otherwise, which was adopted, and the petition referred to the judiciary committee.

Mr. Clark of Johnson, presented petition of J. A. Weatherby and 102 others, asking for amendments in the revenue law, which was referred to the committee on ways and means.

Mr. Kellogg, by leave, offered the following resolution:

Resolved, That the committee on the judiciary be directed to report to this house on the validity, and effect, of the several joint resolutions, passed at the last session of the General Assembly, and published as laws of this State; which was adopted.

Mr. Harris, by leave, presented a petition from citizens of Crawford county, asking that the law authorizing township trustees to levy road tax, be not repealed, which was referred to the committee on roads and highways.

Mr. Kellogg moved to go into committee of the whole on county and township organization, Mr. Kellogg in the chair. Carried.

The committee rose, reported progress, and asked leave to sit again. Report concurred in.

Mr. Morehead, by leave, presented petition of Alvin Norton and others, remonstrating against the passage of any law legalizing county railroad bonds, which was referred to the committee on railroads.

Mr. Rees, by leave, offered the following resolution :

Resolved, That the committee on public lands be instructed to inquire whether any legislation is necessary to protect the interest of counties in the swamp lands selected by such counties, and are not yet deeded, or patented to them, by the State; which was adopted.

Mr. Baker, by leave, offered the following resolution :

Resolved, That the special committee on State Printing be authorized to send for persons and papers, and that they be authorized to employ David M. Sells, as clerk for one week.

Which was adopted.

Mr. Haskell, by leave, offered the following resolution :

Resolved, That we appropriate more books to our use, at the expense of the State.

Which was adopted.

Mr. Gillett, by leave, introduced house file number 205, an act requiring treasurers to furnish safes for their respective counties; which was read a first and second time, and referred to the committee on the judiciary.

Mr. Bennett moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Monday, Feb. 27, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

The Journal of yesterday read and approved.

The Chair presented to the House a report from the Secretary of the Agricultural College.

Mr. Claggett moved to lay on the table and print. Carried.

PETITIONS.

Mr. Baker presented petition of Daniel McNeil, and others, relative to the support of paupers; which was referred to the committee on county and township organization.

Mr. Rosenkrans presented a petition from citizens of Story Co., asking for a change in the revenue law; which was referred to the committee on ways and means.

Mr. Bracewell presented a petition from citizens of Wayne Co., asking for change in the revenue law; which was referred to the committee on ways and means.

Mr. Davis, of Jasper, presented a petition from citizens of Jasper county, asking for the repeal of the amendments of the prohibitory liquor law; which was referred to the select committee on the liquor law.

RESOLUTIONS.

Mr. Rosenkrans offered the following resolution:

Resolved, That the committee on agriculture are requested to investigate as to the expediency of abolishing the office of Secretary of the State Agricultural Society, and incorporating the duties of that office into that of Secretary of the State Agricultural College and Farm, and report by bill or otherwise.

Which was adopted.

Mr. Noble, by leave, presented a petition from citizens of Fayette county, asking that the Iowa Central Railroad grant of land be allowed to revert to the general government, on the passage of an equally liberal grant to a road from McGregor west, through the State; which was referred to the committee on public lands.

Mr. Kellogg offered the following resolution:

WHEREAS, It has been generally reported that house file number 44, introduced by Hon. S. B. Rosenkrans, has been heretofore obtained from the committee on public lands, to whom it was referred, and retained for several weeks against their express wishes, and when returned was greatly altered and mutilated; therefore,

Resolved, That said committee be requested to report to this House whether such alteration and detention was made, and if so, *by whom*.

Mr. Claggett moved to amend by adding: "That a committee of three be appointed to investigate the whole matter, and report to this House the facts in the case."

Mr. Stanton moved to lay the whole matter upon the table; upon which Mr. Claggett demanded the yeas and nays, where were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Harris, Hoag, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser,

Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Riddle, Robb, Ruddick, Shipman, Stanton, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—58.

The nays were—Messrs. Bennett, Blackford, Campbell, Claggett, Dunlavey, Hedges, Hotchkiss, Lynch, Peet, Rees, Stevens, Whitaker, Williams, Withrow—14.

Absent or not voting—Messrs. Bemis, Clark of Des Moines, Curtis, Doggett, Gniffke, Hall, Jones, Merrill, Reed, Robinson, Rosenkrans, Sabin, Streeter and Wright.

The resolution was laid on the table.

Mr. Rees asked leave of withdrawal from the possession of the House a petition respecting school lands; which was granted.

Mr. Williamson, of Louisa, by leave, presented a petition from citizens of Muscatine and Louisa counties, in regard to the levee on Muscatine Island; which was referred to the delegation from Muscatine and Louisa counties.

Mr. Bereman, by leave, presented a petition from R. B. Martin, and fourteen others, praying for appraisement laws; which was referred to the special committee on appraisement.

Mr. Witter, by leave, presented a remonstrance from citizens of Clinton county, against the repeal or modification of the liquor law; which was referred to the select committee on the liquor law.

Mr. Claggett offered the following resolution:

WHEREAS, The member from Wapello (Mr. Mitchell) has stated in this House, that Thos. W. Claggett, a member of this House, took a report or bill from one of the committees of this House, and never returned the same, with intimation that he had been guilty of improper conduct as a member of this House; therefore, be it

Resolved, That the Chair appoint a committee of three, with power to send for persons and papers, to inquire into the charge made by the member from Wapello, and report the facts to this House at their earliest convenience.

Mr. Bowdoin moved to lay the resolution on the table; upon which Mr. Bennett demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Bowdoin, Barnes, Clark of Johnson, Crawford, Davis of Jasper, Gillett, Goodrell, Gue, Haskall, Lambert, Millard, Moser, Quinn, Riddle, Ruddick, Stanton, Tompkins, Withrow, Witter—20.

The nays were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Blackford, Brenner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Gurley, Harris, Hotchkiss, Hunt, Jennings, Kellogg, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Noble, Parker,

Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Rosenkrans, Robb, Shipman, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Wright, Mr. Speaker—56.

Absent or not voting—Messrs. Bemis, Curtis, Hall, Hedges, Jones, Merrill, Robinson, Sabin, Streeter and Wright.

The motion to lay on the table was lost.

Mr. Claggett offered the following resolution:

Resolved, That all further consideration of the new Code be postponed until the meeting of the next session of the General Assembly, and that the Secretary of State be required to furnish to each member of the General Assembly (who have not already it,) a copy of the new Code, at least sixty days prior to the commencement of such General Assembly.

Mr. Tompkins moved to lay the resolution on the table; carried.

Mr. Hedges, by leave, presented the petition of A. M. Carpenter, and others, asking for a change in the revenue system; which was referred to the committee on ways and means.

REPORTS OF COMMITTEES.

Mr. Caldwell, from the committee on the judiciary, made the following report: The judiciary committee, to whom was referred house file number 205, "an act requiring county treasurers to procure safes for their several counties," have had the same under consideration, and have instructed me to report the same back, and recommend that it do not pass.

The committee on the judiciary, to whom was referred house file number 179, "an act repealing chapter 160 of the acts of the Seventh General Assembly, entitled an act to authorize the Governor to appoint commissioners to examine the accounts of State officers, and to define the duties of the Governor in certain cases," have had the same under consideration, and have instructed me to report the same back, and recommend that it do not pass.

The committee on the judiciary, to whom was referred senate file number 10, "an act to amend section 1240 of the Code of Iowa," have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

The judiciary committee, to whom was referred house file number 94, "an act to amend chapter 72 of the acts of the 7th General Assembly," have had the same under consideration, and have instructed me to report the same back without any recommendation.

The committee on the judiciary, to whom was referred petition of citizens of Cedar county, asking for appraisement law, return the same without action, the House having already taken action thereon. Which reports were received, and the bills named therein placed upon the file.

Mr. Williams, from the judiciary committee, presented the fol-

lowing reports: The judiciary committee, to whom was referred house file number 192, and the accompanying petition, have had the same under consideration, and instruct me to report a substitute therefor, with the recommendation that it be passed.

J. H. WILLIAMS.

The judiciary committee, to whom was referred senate file number 82, have examined the same, and instruct me to report the same back, with the recommendation that it be passed.

J. H. WILLIAMS.

The judiciary committee, to whom was referred house file number 183, have had the same under consideration, and instruct me to report the same back, with the recommendation that it be passed.

J. H. WILLIAMS.

The judiciary committee, to whom was referred a resolution requesting them to enquire into the expediency of punishing those guilty of minor offenses, by labor upon the public highways, instruct me to report that legislation upon that subject is inexpedient, in their opinion.

J. H. WILLIAMS.

Which reports were received and the bills therein named placed upon the file.

Mr. Clark of Johnson, from the judiciary committee, presented the following report:

The judiciary committee to whom was referred house file number 203, have had the same under consideration, and a majority of the committee beg leave to report against the passage thereof.

RUSH CLARK, from committee.

Which report was received and the bill passed upon the file.

Mr. Clark of Johnson, from the committee on the judiciary, submitted the following report:

The committee on the judiciary, to whom was recommitted house file number 163, a bill for an act to regulate the manner of administering oaths, ask leave to report back a substitute; which report was concurred in and the substitute placed upon the file.

Mr. Bowdoin, from the committee on the judiciary, submitted the following report:

The committee on the judiciary, to whom was referred a bill for "an act relating to incest," have had the same under consideration, and have directed me to report the same back to the house, and recommend its passage.

E. G. BOWDOIN.

Which report was received and bill passed on the file.

ENROLLED BILLS.

Mr. Dennison, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills, ask leave to report that they

have handed to the Governor, for his signature, substitute for house file number 88, for an act to amend "an act to confer certain powers on towns and cities for school purposes.

J. W. DENNISON.

February 27, 1860.

ENGROSSED BILLS.

The committee on engrossed bills, beg leave to report, that they have examined house file number 87, "a bill for an act to prevent larceny of personal property, taken on legal process," and have found the same correctly engrossed.

A. M. COWING, Chairman.

Mr. Goodrell, from the committee on railroads, submitted the following report:

The committee on railroads, to whom was referred a petition asking for the restoration of section "689" of the Code, which was repealed by an act approved 20th March, 1858, also asking for a change in the laws so as to require that the President and a majority of the Board of Directors of all corporations be residents of this State, have had the same under consideration and report in favor of denying the prayer of the petitioners.

GOODRELL, Chairman.

The committee on railroads, to whom was referred the petition of citizens of Iowa, praying for a perpetual charter for ferry privileges across the Missouri River, at a point in Fremont county, have had the same under consideration, and report that there is no farther legislation required.

GOODRELL, Chairman.

The resolution which was referred to the committee on railroads, requesting said committee to enquire into the expediency of requiring railroad companies in this State, to carry freight and passengers *pro rata* with the railroads with which they connect, has been under advisement, and the committee beg leave to report, that in their opinion, no legislation is required on said subject.

GOODRELL, Chairman.

Which report was received.

Mr. Claggett, from select committee, reported house file number 206, a bill for an act to exempt the homestead from taxation for county and State purposes; which was read a first time.

Mr. Gurley, from the Scott county delegation, submitted the following report: The members of this House from Scott county, to whom, as a special committee, was referred house file number 141, "a bill for an act for legalizing the acts of the county judge of Scott county, in purchasing real estate for a Poor House Farm, and in issuing bonds in payment thereof," have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

W. H. F. GURLEY.

Mr. Gurley moved that house file number 141, be read a third time, which was done, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracowell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—71.

The nays were—Messrs. Paulk, Stevens—2.

Absent or not voting—Bemis, Bereman, Curtis, Doggett, Davis of Johnson, Hall, Harris, Jones, Merrill, Robinson, Sabin, Streeter, and Wright.

The bill passed and title was agreed to.

Mr. Caldwell moved to take up house file number 192, "a bill for an act legalizing the official acts of the city council of Maquoketa, and the election of the mayor of said city." The bill was taken up, read a second time, the rule suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracowell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, Le Lacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—69.

The nays were—Messrs. Bereman, Paulk, Rees—3.

Absent or not voting—Bemis, Curtis, Doggett, Hall, Harris, Jones, Merrill, Noble, Peet, Robinson, Sabin, Shipman, Streeter, and Wright.

The bill passed and the title was agreed to.

Mr. Paulk moved to postpone the special orders of to-day till next Wednesday. Carried.

The house then went into committee of the whole on substitute

for house file number 113. Mr. Bereman was called to the chair. The committee rose, reported progress, and asked leave to sit again, which report was concurred in.

Message from the Governor.

EXECUTIVE OFFICE, }
February 27, 1860. }

Gentlemen of the House of Representatives :

I transmit herewith a claim made against the State by A. R. Parker, of Washington city, for certain maps.

Upon the receipt of the bill and the letter, dated January 16, 1860, I wrote D. M. Parker, requesting him to send me any papers in his possession relating to the matter, and on yesterday received the papers marked 1 to 7 inclusive.

SAM'L J. KIRKWOOD.

The communications and papers were referred to the committee on claims.

Mr. Shipman moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Price, of Muscatine, introduced house file number 207, a bill for an act defining the duties of railroad companies, which was read a first and second time, and referred to a special committee, consisting of Messrs. Caldwell, Bennett, and Williamson of Louisa.

The chair announced the special committee on the resolution introduced by Mr. Claggett, respecting investigation, as follows: Messrs. Paulk, Taylor and Cottell.

Mr. Whitaker introduced house file number 208, a bill for an act to repeal an act to locate and provide for the erection of an institution for the education of the blind in the State of Iowa, which was read a first and second time and referred to the committee on charitable institutions.

Mr. Haskall, by leave, offered the following resolution:

Resolved, That no member of this house shall be allowed to speak more than ten minutes on any question, nor more than once on the same question.

Mr. Clark, of Des Moines, moved to amend as follows: "Until all other members who desire to speak have spoken."

Mr. Bennett moved to lay the whole subject on the table. Lost.

Mr. Baker offered the following substitute:

Resolved, That after any member has spoken once on any bill or amendment to a bill, he shall not speak again on said bill, said

amendment, or any other amendment for any longer time than five minutes.

Carried.

Mr. Bracewell moved to take up senate file number 74, "a bill for an act to pay the claim of William McHargue." The bill was taken up, the amendments concurred in, and the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Lambert, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker—60.

The nays were—Messrs. Bennett, Peet—2.

Absent or not voting—Bemis, Clark of Johnson, Clark of Jefferson, Cottell, Curtis, Darling, Davis of Johnson, Dennison, Gniffke, Gurley, Hall, Jennings, Jones, Kellogg, McCullough of Jackson, McCullough of Lee, Merrill, Price of Lee, Robinson, Sabin, Streeter, Williams and Wright.

The bill passed and the title was agreed to.

Mr. Stanton moved to take up the joint resolution of the Senate in relation to adjournment as follows:

Resolved, By the Senate, (the House concurring,) That the General Assembly adjourn sine die on the 26th day of March, 1860.

J. H. SANDERS, Sec'y of Senate.

Mr. Bowdoin moved to amend as follows:

Provided, 1st. That the Des Moines River shall be so navigable that we can leave Des Moines by the boats.

Provided, 2d. That we shall have accomplished our business.

Mr. Shipman moved to lay the whole subject on the table, on which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Beal, Bowdoin, Blackford, Bremner, Crawford, Gillett, Gniffke, Goodrell, Gurley, Lambert, Quinn, Riddle, Rosenkrans, Ruddick, Shipman, Tompkins, and Mr. Speaker—17.

The nays were—Messrs. Baker, Bereman, Barnes, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cowing, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gue, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Lynch,

Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Robb, Stanton, Stevens, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter—51.

Absent or not voting—Messrs. Bemis, Clark of Jefferson, Cottell, Curtis, Darling, Dennison, Hall, Jones, Kellogg, Macomber, McCullough of Jackson, McCullough of Lee, Merrill, Robinson, Sabin, Streeter, Williams, Wright.

The motion was lost.

Mr. Ellis moved the previous question, which was not seconded.

Mr. Withrow, by leave, introduced house file number 209, a bill for an act to amend the laws in reference to the sale of intoxicating liquors, which was read a first and second time, and Mr. Bremner moved to lay on the table and print. Carried.

Mr. Gurley moved to postpone the Senate resolution for two weeks.

Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows :

The yeas were—Messrs. Beal, Bowdoin, Barnes, Blackford, Bremner, Davis of Jasper, Dennison, Gillett, Goodrell, Gue, Gurley, Hotchkiss, Hunt, Lambert, Le Lacheur, Macomber, Mangold, Millard, Parker, Price of Muscatine, Quinn, Riddle, Rosenkrans, Ruddick, Shipman, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker—31.

The nays were—Messrs. Baker, Bereman, Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Doggett, Darling, Davis of Johnson, Dunlavey, Ellis, Glasgow, Haskall, Harris, Hedges, Hoag, Jennings, Lynch, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Noble, Paulk, Reed, Rees, Robb, Stanton, Stevens, Taylor, Whitaker—38.

Absent or not voting—Messrs. Bemis, Caldwell, Clark of Jefferson, Cottell, Curtis, Hall, Jones, Kellogg, McCullough of Jackson, Merrill, Peet, Robinson, Sabin, Streeter, Williams, Wright.

The motion was lost.

The question then recurring upon Mr. Bowdoin's amendments, Mr. Paulk called for a division of the question. Carried.

Both amendments were lost.

Mr. Bennett offered the following substitute :

Resolved, (the Senate concurring,) That the Legislature adjourn sine die on the 15th day of March, 1860.

Mr. Clark of Johnson, moved to amend by striking out "15" and inserting "20."

Mr. Ellis moved to amend the amendment by striking out "20th" and inserting "27th." Carried.

And the resolution as amended was adopted.

Mr. Caldwell moved to go into committee of the whole on the

bill for county and township organization, being substitute for house file number 113. Carried.

Mr. Bereman was called to the chair; the committee rose, reported the bill back, with amendments, which report was received.

Messrs. Edwards and Kellogg asked leave to record their votes in favor of the amendment to section 2 of substitute for house file 113, striking out "Supervisors and" inserting "Commissioners." Leave granted.

Mr. Taylor moved to adjourn. Carried.

HALL OF REPRESENTATIVES,
Tuesday, February 28th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

Journal of yesterday read and approved.

Mr. Jones, by leave, offered the following resolution :

Resolved, That Mr. Bacon, Principal of the Blind Asylum, at Iowa City, be granted the use of this Hall this evening, for the purpose of lecturing on subjects connected with said institution.

Which was adopted.

Mr. Beal, by leave, offered the following resolution :

Resolved, That his Excellency, the Governor, be requested to furnish this House with a certified copy of the report of the commissioners appointed to examine into the affairs of the State offices.

Which was adopted.

Mr. Williams moved to take from the table the resolution in relation to furnishing the reporters of this House with reports, &c. Upon which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows :

The yeas were—Messrs. Baker, Bowdoin, Bracewell, Bremner, Caldwell, Clark of Johnson, Clark of Jeff., Clark of Des Moines, Claggett, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gniffke, Gue, Harris, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Robb, Shipman, Streeter, Taylor, Williams, Williamson of Louisa, Withrow, Witter, Mr. Speaker—44.

The nays were—Messrs. Beal, Bereman, Barnes, Bennett, Blackford, Campbell, Doggett, Dennison, Dunlavey, Ellis, Haskall, Hedges, Hotchkiss, LeLacheur, McCullough of Lee, Mitchell,

Morehead, Paulk, Peet, Reed, Riddle, Ruddick, Stanton, Stevens, Tompkins, Whitaker—26.

Absent or not voting—Messrs. Bemis, Conner, Cottell, Curtis, Goodrell, Gurley, Hall, Jones, Kellogg, Merrill, Price of Lee, Rees, Robinson, Sabin, Williamson of Warren, and Wright.

The motion prevailed, and the resolution was taken up.

Mr. LeLacheur moved to amend so as to include the officers of this House.

Mr. Bennett moved to lay on the table.

Mr. Peet demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Barnes, Bracewell, Bennett, Blackford, Campbell, Doggett, Davis of Johnson, Dunlavey, Ellis, Glasgow, Haskell, Hunt, Mitchell, Morehead, Peet, Rees, Stanton, Stevens, Williamson of Warren—22.

The nays were—Messrs. Bowdoin, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Dennison, Gillett, Gniffke, Goodrell, Gue, Gurley, Harris, Hedges, Hoag, Hotchkiss, Jennings, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Moser, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Shipman, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter—53.

Absent or not voting—Messrs. Bemis, Curtis, Hall, Jones, Kellogg, Merrill, Noble, Robinson, Sabin, Williamson of Warren, and Wright.

The motion to lay on the table was lost.

Mr. Ellis moved to amend, "that each regularly organized literary and historical society in the State of Iowa be included in said resolution." Carried.

Mr. Rees moved to amend as follows: "except such reports and documents as have been distributed to any of the officers of this House." Carried.

Mr. Barnes moved to indefinitely postpone.

Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Beal, Barnes, Bennett, Campbell, Clark of Jefferson, Conner, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Haskell, Hotchkiss, Hunt, McCullough of Lee, Mitchell, Morehead, Paulk, Peet, Rees, Riddle, Stanton, Stevens, Tompkins, Whitaker, Williamson of Warren—27.

The nays were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Claggett, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Gniffke, Gue, Gurley, Harris, Hedges, Hoag, Jennings, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Moser, No-

ble, Parker, Price of Lee, Quinn, Reed, Rosenkrans, Robb, Shipman, Streeter, Taylor, Williams, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—44.

Absent or not voting—Messrs. Bemis, Clark of Johnson, Clark of Des Moines, Curtis, Gillett, Hall, Jones, Kellogg, Lynch, Merrill, Price of Muscatine, Robinson, Ruddick, Sabin and Wright.

The motion was lost.

Mr. Reed offered the following substitute:

Resolved, That the Secretary of State is hereby directed to distribute to each county, when he distributes the acts of this General Assembly, one copy each of the Geological Reports, if there be that number to spare; if there is not that number, then to distribute as far as they will go to said counties in their alphabetical order.

Mr. Caldwell moved to indefinitely postpone the whole subject; on which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Barnes, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Cottell, Cowing, Crawford, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Haskall, Hedges, Hotchkiss, Hunt, Kellogg, Macomber, McCullough of Lee, Mitchell, Morehead, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Rosenkrans, Shipman, Stanton, Stevens, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Witter—47.

The nays were—Messrs. Bowdoin, Blackford, Bremner, Conner, Darling, Davis of Jasper, Gillett, Gniffke, Gue, Gurley, Hoag, Jennings, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, McQuinn, Millard, Moser, Parker, Quinn, Robb, Ruddick, Streeter, Taylor, Williams, Withrow, Mr. Speaker—29.

Absent or not voting—Messrs. Bemis, Clark of Des Moines, Curtis, Hall, Harris, Jones, Merrill, Robinson, Sabin and Wright.

The motion to postpone was carried.

Mr. Kellogg moved to reconsider the last vote.

Mr. Bennett moved to lay the motion to reconsider on the table. Carried.

Mr. Shipman moved to take up house file number 94, a bill for an act to amend chapter 72 of the acts of the 7th General Assembly; the bill was taken up and read a second time.

Mr. Peet moved to amend section two as follows: add, "Provided that no written notice need be given when the defendant waives, in writing, such printed notice." Lost.

Mr. Caldwell offered the following substitute for section two:

"Such notice shall be given by being posted in at least three public places of the county, one of which shall be at the place where the last district court was held, and one of such notices shall be put up in some public place in the township where such real estate is situated; in addition to which, in case of the sale of real

estate, or where personal property of the amount of two hundred dollars or upwards is to be sold, there shall, if either party make to the sheriff a written request therefor, or if the defendant be a non-resident, be two publications of such notice in some newspaper printed in the county, if there be one; provided such publication shall not cost over one dollar per square for the first insertion, and fifty-cents per square for each subsequent insertion." The substitute was lost.

Mr. Robb moved to strike out all but the enacting clause; on which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bennett, Blackford, Bremner, Clark of Des Moines, Cowing, Crawford, Darling, Dennison, Gillett, Gniffke, Gue, Gurley, Haskell, Hoag, Kellogg, Lambert, Lynch, Mangold, McQuinn, Millard, Mitchell, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Rees, Riddle, Rosenkrans, Robb, Stevens, Taylor, Tompkins, Withrow, Witter, and Mr. Speaker—41.

The nays were—Messrs. Beal, Barnes, Bracewell, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Doggett, Davis of Jasper, Davis of Johnson, Dunlavy, Ellis, Glasgow, Goodrell, Harris, Hedges, Hotchkiss, Hunt, Jennings, LeLacheur, Macomber, McCullough of Jackson, McCullough, of Lee, Morehead, Price of Muscatine, Reed, Ruddick, Shipman, Stanton, Streeter, Williams, Williamson of Louisa, Williamson of Warren—36.

Absent or not voting—Bemis, Curtis, Hall, Jones, Merrill, Robinson, Sabin, Whitaker and Wright.

The motion prevailed.

Mr. Paulk moved to suspend the rule, and take up substitute for house file number 113, and refer it to the committee on county and township organization. Carried.

The bill was so referred.

BILLS ON THEIR SECOND READING.

House file number 183 was taken up and read a second time.

Mr. Paulk moved to indefinitely postpone. Pending which, on motion of Mr. Beal, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Witter, by leave, offered the following resolution:

Resolved, That on Monday evening next, this House will begin to hold night sessions, and continue the same as the business of the Legislature may require.

Mr. Williams moved to lay the resolution on the table. Lost.

The resolution was laid over one day.

Mr. Taylor moved to reconsider the vote taken in the forenoon on house file number 94, by which all after the enacting clause was stricken out.

Mr. Bennett moved to lay the motion on the table.

Mr. Robb moved a call of the House, which was had, when Messrs. Gniffke, Jennings, Dennison and Kellogg were found to be absent.

The Sergeant-at-Arms was ordered to bring in the absentees; they were brought in, and were excused.

The question then recurred on laying the motion to reconsider on the table, on which Mr. Bennett called for the yeas and nays, which were as follows :

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Cowing, Dennison, Gillett, Gniffke, Gue, Gurley, Harris, Hedges, Jennings, Kellogg, Lambert, LeLacheur, Lynch, McCullough of Lee, McQuinn, Millard, Mitchell, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Robb, Tompkins, Williams, Witter—38.

The nays were—Messrs. Beal, Barnes, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Glasgow, Goodrell, Haskall, Hoag, Hunt, Mangold, McCullough of Jackson, Morehead, Price of Muscatine, Reed, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Williamson of Louisa, Williamson of Warren, Withrow, and Mr. Speaker—38.

Absent or not voting—Messrs. Bemis, Campbell, Curtis, Hall, Hotchkiss, Jones, Macomber, Merrill, Robinson, Sabin, Whitaker and Wright.

Motion lost.

The question then recurred on the reconsideration, on which Mr. Baker called for the yeas and nays, which were as follows :

The yeas were—Messrs. Beal, Barnes, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Glasgow, Goodrell, Haskall, Hedges, Hoag, Hunt, Lynch, Mangold, McCullough of Lee, Morehead, Price of Muscatine, Reed, Ruddick, Shipman, Stanton, Stevens, Streeter, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—35.

The nays were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Clark of Des Moines, Cowing, Crawford, Dennison, Gillett, Gniffke, Gue, Gurley, Harris, Jennings, Kellogg, Lambert, LeLacheur, McCullough of Jackson, McQuinn,

Millard, Mitchell, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Rees, Riddle, Rosenkrans, Robb, Tompkins, Williams, Withrow, Witter—30.

Absent or not voting—Bemis, Curtis, Hall, Hotchkiss, Jones, Macomber, Merrill, Robinson, Sabin, Taylor, Whitaker, Wright.

Motion lost.

Mr. Claggett, by leave, introduced house file number 210, a bill for an act to regulate the issuing of executions in civil actions, and for the regulation of trials in attachment cases; which was read a first and second time, and referred to a select committee.

The Chair appointed Messrs. Claggett, Price of Muscatine, Reed, Parker and Morehead as such committee.

The House then took up house file 183, upon which the question of indefinite postponement was pending at the adjournment in the forenoon, and indefinitely postponed the same.

House file number 203, a bill for an act to amend section 1249 of the Code of Iowa, was taken up and read a second time, when Mr. Baker moved to indefinitely postpone. Carried.

Mr. Rees moved to reconsider the vote on the last motion. Carried.

Mr. Caldwell moved to send the bill to a special committee of three. Carried.

The Chair appointed Messrs. Caldwell, Rees and Jennings as such committee.

House file number 205, a bill for an act requiring treasurers to furnish safes for their respective counties, was taken up and read a second time, when Mr. Baker moved to indefinitely postpone the bill. Carried.

House file number 134, a bill for an act defining the duties of Notaries Public, was taken up and read a second time, when Mr. Caldwell moved to indefinitely postpone the bill. Carried.

House file number 31, a bill for an act relating to incest, was taken up and read a second time, when Mr. Jennings moved that the bill be engrossed and read a third time to-morrow. Carried.

Senate file number 65, a bill for an act concerning appeals of causes from the District Court of Jefferson county, Iowa, to the Supreme Court, was taken up and read a second time, when Mr. Bereman moved to lay it on the table. Lost.

The bill was ordered engrossed for a third reading to-morrow.

House file number 149, a bill for an act to change the boundaries of the counties of Worth, Winnebago and Hancock, was taken up and read a second time, when Mr. Baker moved to indefinitely postpone the bill.

Mr. Bowdoin moved to lay the bill on the table. Carried.

House file number 140, a bill for an act to prevent the County Judge from allowing money to be drawn from the county treasury for clerk hire, was taken up and read a second time, when Mr. Clark, of Des Moines, moved to indefinitely postpone the bill. Carried.

House file number 127, an act to amend section 2586 of the Code, was taken up and read a second time, when Mr. Claggett moved to refer the bill to the judiciary committee. Lost.

Mr. Bowdoin moved to indefinitely postpone the bill. Carried.

Mr. Moser moved to adjourn. Lost.

Mr. Williamson, of Warren, moved to take up the following Senate resolution :

Resolved, By the Senate, (the House concurring,) That the sum of one hundred dollars, to be expended under the direction of the Secretary of State, be and the same is hereby appropriated for the purpose of making a crossing from the north door of the Capitol Building to the Capitol Square, and a side walk from thence west along the property owned by the State, to the centre of 9th St.

J. H. SANDERS, Sec'y of Senate.

Which was read a third time, and lost.

The Speaker laid before the House the following communication:

To the General Assembly of the State of Iowa:

In case the General Assembly shall adopt the Code of Civil Practice, and the Code of Criminal Practice, and shall order the publication thereof, together with the Revision of the Laws of this State, we hereby offer to do the printing, binding, and furnish the paper therefor, on the following terms :

We propose to furnish and add at the end of each Chapter of the Revision, after the adoption of the same by the Legislature, at our own expense, a synopsis of all prior laws on the same subject, beginning with those of the State of Michigan, which were in force in the State of Iowa, and continuing down to the present time, stating when each took effect, and when it was repealed, and referring to the books and pages where the original acts are found; also giving notes and references, under each Chapter, to all the decisions made by the Supreme Court of the State of Iowa on the same, or any prior law of the same kind.

As the undersigned had made arrangements for the publication of a similar work with C. Ben. Darwin, Esq., of Burlington, Iowa, one of the Code Commissioners; said Darwin having prepared such matter for publication before his appointment as Commissioner; we propose to deliver at the Capitol of the State, within six months from the commencement of the printing of the volume, 10,000 copies of said work at \$3.00 per volume, with the aforesaid additional matter, notes and references; 15,000 copies at \$2.75 per volume, or 20,000 copies at \$2.50 per volume.

In case the Legislature should desire the publication without the aforesaid additional matter, notes and references, as reported by the Commissioners, we will deliver 10,000 copies of the same at \$2.25 per copy; 15,000 or 20,000 copies at \$2.00 per copy.

This proposition is made with the distinct understanding that said work is to be delivered, free of any charge for freight; and

said price includes every expense of the work, including the paper, printing and binding of same.

As the publication of said work will probably be done under the supervision of one of the Code Commissioners, the commencement of the publication of the same shall be fixed from the date of Mr. Darwin's, or either of the other Commissioner's, arrival at Philadelphia to superintend the same.

The size of the type to be law type, of the size of the American Law Register, published by the undersigned, or such as the Commissioners may select. The Paper and Binding of the work shall equal that of Brightly's Digest of the Laws of the United States.

The price above offered is on condition that the work shall not exceed 1,000 pages; but if it shall exceed that amount, the price shall be in the same proportion for such excess of pages.

The undersigned offer to give such security for the faithful performance of the aforesaid proposals, as the General Assembly may order.

J. L. CORSE & SON,
Booksellers, Burlington, Iowa.
D. B. CANFIELD & Co.,
Law Book Publishers, Phila., Pa.

February, 1860.

Mr. Caldwell moved to refer the communication to a special committee of six. Carried.

The chair appointed Messrs. Caldwell, Williamson of Warren, Goodrell, Kellogg, Bereman and Peet, as such committee.

Mr. Williams moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Wednesday, Feb. 29, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

The Journal of yesterday read and approved.

House file number 148 being the special order.

By leave, Mr. Kellogg introduced the following resolution :

Resolved, That the committee on banks be directed to enquire into the expediency of requiring bankers who receive funds on deposit, to publish monthly statements, under oath, showing amount received on deposit, amount paid out, and amount on hand, and report by bill or otherwise. Adopted.

By leave, Mr. Kellogg introduced the following resolution:

Resolved, That the committee on the judiciary be directed to enquire into the expediency of making bankers, brokers and collectors, who receive collections, liable in the same way that attorneys are now, for not paying over the same, and report by bill or otherwise.

Adopted.

By leave, Mr. McCullough, of Lee, offered the following resolution:

Resolved, That the Secretary of State be required to inform this House why the reports of the Auditor of State, which were ordered, have not been delivered to this House.

Laid over, under the rule.

By leave, Mr. Lynch offered the following resolution:

Resolved, That the judiciary committee be requested to enquire into the expediency of separating the office of County Treasurer and Recorder in all counties that have eight thousand inhabitants, and report by bill or otherwise.

Adopted.

By leave, Mr. Ellis offered the following resolution:

Resolved, That it is hereby made the duty of the Sergeant-at-Arms to admonish all members and other persons who may be smoking during business hours in this hall to desist, and if still persisted in, to report the name of such offender to the speaker instant.

Mr. Kellogg moved to include the chewing of tobacco. Lost. The original resolution was adopted.

By leave, Mr. Olaggett presented the petition of citizens of Lee county, asking for the payment of back taxes, with ten per cent interest. Referred to committee on ways and means.

By leave, Mr. Bennett presented a petition from citizens of Marion county, praying the abolition of all laws for the collection of debts contracted after the 4th day of July, A. D. 1860, was referred to the committee on judiciary.

By leave, the select committee, to whom was referred house file number 171, "An act authorizing the Attorney General of this State to bring suit against any person or persons, company or association, who has placed any obstruction to navigation and continues to maintain the same, in or across the Des Moines River, or who shall hereafter place any obstruction to the free and easy navigation of said river, as aforesaid," have had the same under consideration, and a majority of said committee have instructed me to report the same back to the house, and recommend that the same be passed.

O. BEAL, Chairman.

The special order was then taken up, being the bill in reference to the purchase and distribution of Dillon's Digest.

Mr. Clark, of Johnson, moved to lay on the table till Mr. Gur-

ley came, pending which, Mr. Gue moved moved a call of the house. Carried.

The following gentlemen were found absent and unexcused : Messrs. Gurley, Peet, Quinn, and Williamson of Warren.

The Sergeant-at-Arms was ordered to bring in the absentees, pending which Mr. Claggett moved that further proceedings under the call be dispensed with, upon which question Mr. Bowdoin demanded the yeas and nays, which were ordered, and were as follows :

The yeas were—Messrs. Baker, Bracewell, Bennett, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Doggett, Darling, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Morehead, Price of Lee, Reed, Rees, Rosenkrans, Robb, Stanton, Stevens, Streeter, Taylor, Williamson of Louisa, Williamson of Warren and Mr. Speaker—48.

The nays were—Messrs. Beal, Bereman, Bowdoin, Blackford, Bremner, Clark of Johnson, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Gue, LeLacheur, McCullough of Jackson, Mitchell, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Riddle, Shipman, Tompkins, Williams, Withrow, Witter—27.

Absent or not voting—Barnes, Bemis, Curtis, Hall, Merrill, Peet, Robinson, Ruddick, Sabin, Whitaker, and Wright.

Motion prevailed.

The question then recurring upon the bill under consideration, Mr. Clark, of Jefferson, moved to strike out 375 and insert 75.

Mr. Baker moved to amend by striking out 75 and inserting 200.

Mr. Clark, of Jefferson, then moved to indefinitely postpone.

Mr. Mitchell moved to re-commit, with instructions to insert 75 copies.

Mr. Gurley moved to amend by making the number 200, upon which amendment to amendment, the yeas and nays were demanded by Mr. Clark, of Jefferson, which were ordered, and were as follows :

The yeas were—Messrs. Baker, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Goodrell, Gue, Gurley, Hoag, Hunt, Macomber, Mangold, McQuinn, Millard, Moser, Noble, Parker, Price of Lee, Price of Muscatine, Quinn, Riddle, Robb, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Warren, Withrow, Witter and Mr. Speaker—38.

The nays were—Messrs. Beal, Bereman, Bracewell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Doggett, Darling, Dunlavey, Ellis, Glasgow, Gniffke, Haskall,

Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, McCullough of Jackson, McCullough of Lee, Mitchell, Morehead, Paulk, Reed, Rees, Rosenkrans, Stevens, Taylor, Williamson of Louisa—38.

Absent or not voting—Messrs. Barnes, Bemis, Curtis, Hall, Merrill, Peet, Robinson, Sabin, Whitaker and Wright.

The amendment was lost.

Mr. Lynch moved to amend by making the number 100; Mr. Paulk, 130. Upon Mr. Paulk's amendment the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Blackford, Bremner, Clark of Johnson, Conner, Crawford, Darling, Davis of Jasper, Dennison, Gillett, Goodrell, Gue, Gurley, Hoag, Hunt, Macomber, Mangold, McQuinn, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Riddle, Robb, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williams, Withrow, Witter, Wright, and Mr. Speaker—38.

The nays were—Messrs. Beal, Bracewell, Bennett, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Cottell, Cowing, Doggett, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gniffke, Haskell, Harris, Hedges, Hotchkiss, Jennings, Jones, Lambert, LeLacheur, Lynch, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Morehead, Price of Lee, Reed, Rees, Rosenkrans, Stevens, Taylor, Williamson of Louisa, Williamson of Warren—36.

Absent or not voting—Messrs. Barnes, Bemis, Curtis, Hall, Kellogg, Merrill, Peet, Robinson, Sabin, Whitaker and Wright.

The amendment was carried.

Mr. Caldwell moved to strike out all after counties. Carried.

On motion, the bill was re-committed.

By leave, Mr. Gurley introduced house file number 211, a bill for substitute for sections 3, 4 and 5 of an act to confer certain powers on towns and cities for school purposes, was read first and second time and referred to committee on schools and State University.

Also, by Mr. Gurley, a bill for an act to aid judgment creditors in the collection of judgments, was read a first and second time, and referred to committee on judiciary.

By leave, Mr. Goodrell introduced house file number 213, a bill for an act entitled an act supplementary to an act to fix the time of holding courts in the Fifth Judicial District of the State of Iowa, was read a first and second time, the rule suspended, the bill read a third time and referred back to a committee consisting, of the delegation from the 5th Judicial District.

Mr. Clark, of Johnson, by leave, reported house file number 148 back to the house.

Mr. Baker moved to strike out 130 and insert 150. Adopted.

The bill was read a third time, and upon the question shall the

bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Claggett, Conner, Crawford, Darling, Davis of Jasper, Davis of Johnson, Denison, Dunlavey, Gillett, Gniffke, Goodrell, Gue, Gurley, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robb, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—59.

The nays were—Messrs. Beal, Bennett, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Ellis, Glasgow, Haskell, LeLacheur, Lynch, Mitchell, Morehead, Rosenkrans, Stevens—15.

Absent or not voting—Barnes, Bemis, Campbell, Curtiss, Doggett, Hall, Kellogg, Merrill, Robinson, Sabin, Whitaker and Wright.

The bill passed and the title was agreed to.

Mr. Williamson of Warren introduced house file number 204, a bill for an act to regulate jury fees in cases of change of venue, was read a first and second time, and referred to committee on Judiciary.

The delegation from the fifth Judicial District reported back house file number 213, and recommended its passage. The bill was read a third time, and upon the question shall the bill pass, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Denison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker.

Absent or not voting—Barnes, Bemis, Curtis, Hall, Merrill, Moser, Price of Muscatine, Riddle, Robinson, Sabin, Shipman, Stevens, Whitaker, Wright.

The bill passed and the title was agreed to.

By leave, Mr. Dunlavey introduced house file number 215, a bill for an act to prevent the invasion of sister States: was read first and second times and referred to committee on Federal Relations.

By leave, Mr. Reed introduced house file number 216, a bill for an act for the assessment of damages in laying out Roads and Highways, on motion of Mr. Reed, was referred to a select committee, composed of Messrs. Dunlavey, Harris and Taylor.

Mr. Caldwell moved that the house go into committee of the whole upon the license law. Carried.

Mr. Beal in the chair.

The committee rose, reported progress, and asked leave to sit again, at 2 o'clock. Report concurred in.

REPORTS.

Mr. Cowing, from the committee on engrossed bills, submitted the following report: The committee on engrossed bills, beg leave to report that they have examined the following bills, and have found the same correctly engrossed.

Senate file number 65, a bill for an act concerning appeals of causes from the District Court of Jefferson county, Iowa, to the Supreme Court.

House file number 31, an act relating to incest.

Mr. Jennings moved that the house now adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Shipman introduced the following resolution:

Resolved, That the Secretary of the Board of Education is hereby respectfully requested to inform this House what books are now in most general use as text books in the schools of this State, and also such other information as he may deem necessary to a full understanding of this subject. Was laid over under the rule.

The House then went into committee of the whole upon the License bill. Mr. Beal in the chair. The committee rose and reported the bill and substitute back to the house, and recommended their indefinite postponement. Mr. Claggett called for a division of the question.

Mr. Baker moved the previous question, which was seconded.

The question, shall the main question now be put, was carried.

The question then being upon concurring in the report of the committee, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Bereman, Barnes, Clark of Johnson, Cottell, Crawford, Davis of Johnson, Dennison, Gue, Gurley, Hoag, Hunt, Lambert, Macomber, Mangold, Mitchell, Moser, No-

ble, Parker, Quinn, Ruddick, Stevens, Streeter, and Mr. Speaker.—23.

The nays were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Doggett, Darling, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Haskell, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, Lynch, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Rosencrans, Robb, Shipman, Stanton, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter.—54.

Absent or not voting—Bemis, Curtis, Hall, Kellogg, Merrill, Robinson, Sabin, Whitaker and Wright.

The report was not concurred in.

The question then being upon the adoption of the substitute offered by Mr. Caldwell, Mr. Williamson moved that the whole subject be referred to a select committee of seven. Lost.

Mr. Williams moved to adjourn. Lost.

The question then recurring upon the substitute by Mr. Caldwell, the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Beal, Bereman, Barnes, Bennett, Blackford, Caldwell, Campbell, Clark of Jefferson, Doggett, Dennison, Dunlavey, Ellis, Goodrell, Haskell, Harris, Hotchkiss, McCullough of Jackson, McCullough of Lee, Mitchell, Paulk, Price of Lee, Price of Muscatine, Reed, Shipman, Stevens, Streeter, Taylor, Whitaker, Williamson of Warren—29.

The nays were—Messrs. Baker, Bowdoin, Bracewell, Bremner, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gniffke, Gue, Gurley, Hedges, Hoag, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Morehead, Moser, Noble, Parker, Peet, Rees, Riddle, Rosencrans, Robb, Ruddick, Stanton, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter and Mr. Speaker.—48.

Absent or not voting—Bemis, Curtis, Hall, Kellogg, Merrill, Quinn, Robinson, Sabin, Wright.

Substitute lost.

Mr. Lambert moved that the further consideration of the original bill be postponed till 4th July, A. D. 1860.

The yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jones, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Morehead, Moser,

Noble, Parker, Price of Muscatine, Quinn, Reed, Rosencrans, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker—51.

The nays were—Messrs. Beal, Bracewell, Clark of Des Moines, Claggett, Conner, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Rees, Riddle, Robb, Stevens, Taylor, Williams—25.

Absent or not voting—Bemis, Campbell, Curtis, Hall, Kellogg, Merrill, Robinson, Sabin, Whitaker, Wright.

The bill was postponed till July 4th, 1860.

Message from the Senate :

MR. SPEAKER:—I herewith return house file number 213, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y Senate.

Mr. Robb moved to reconsider the vote taken upon the substitute offered by Mr. Caldwell.

Mr. Gue moved to lay the motion on the table. Upon which Mr. Claggett demanded the yeas and nays, which were ordered and were as follows :

The yeas were—Messrs. Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Morehead, Moser, Parker, Quinn, Rosencrans, Ruddick, Stanton Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—40.

The nays were—Messrs. Baker, Beal, Barnes, Bennett, Caldwell, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dennison, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Robb, Shipman, Stevens, Taylor, Williams, Williamson of Warren—37.

Absent or not voting—Messrs. Bemis, Curtis, Hall, Kellogg, Merrill, Robinson, Sabin, Whitaker, Wright.

The motion prevailed.

On motion of Mr. Taylor, the house adjourned.

HALL OF REPRESENTATIVES, }
Thursday, March 1st, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

The Journal of yesterday read and approved.

By leave, Mr. Baker presented a remonstrance of citizens of Clinton county against any bill proposing to change the boundaries of Clinton county, which was referred to committee on county and township organization.

The question being upon the taking up house file 209, a bill for an act to amend the laws in reference to the sale of intoxicating liquors, was taken up.

By leave, Mr. Claggett, from select committee, reported back house file number 210, a bill for an act to regulate the issuing of executions in civil actions and recommended its passage.

By leave, Mr. Shipman called up the resolution relative to enquiries from the Secretary of the Board of Education, with regard to text books.

Mr. Baker moved to refer the resolution to the committee on schools and University.

Mr. Clark, of Des Moines, moved to lay the resolution on the table. Lost.

The resolution was then adopted.

House file number 209, was then read, when Mr. Caldwell moved to postpone the bill till fourth July, A. D. 1860.

Mr. Williamson, of Louisa, moved to amend.

Mr. Jennings called for the previous question.

Mr. Bennett moved a call of the house, pending which, Mr. Ellis moved that further proceedings under the call be dispensed with; upon which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gue, Gurley, Hoag, Hunt, Jennings, Lambert, Lynch, Mangold, McCullough of Jackson, Morehead, Moser, Noble, Parker, Quinn, Riddle, Rosenkrans, Robb, Ruddick, Stanton, Williamson of Warren, Withrow, Witter and Mr. Speaker—44.

The nays were—Messrs. Bennett, Blackford, Campbell, Clark of Des Moines, Claggett, Dunlavey, Gniffke, Goodrell, Haskell, Harris, Hedges, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Lee, McQuinn, Millard, Mitchell, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Shipman, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa—34.

Absent or not voting—Bemis, Curtis, Hall, Macomber, Merrill, Robinson, Sabin, Whitaker and Wright.

Motion prevailed.

Mr. Cowing moved that the house adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The question being upon the previous question, Mr. Williamson, of Louisa, moved a call of the house, when Messrs. Rosenkrans and Davis of Johnson, were absent and unexcused.

The Sergeant-at-Arms brought in the absentees who were excused.

The question was then put on seconding the call for the previous question, which was adopted.

The question then being shall the main question be now put, was carried.

The question being upon the postponement till July 4th, 1860, upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Crawford, Davis of Johnson, Dennison, Goodrell, Gue, Gurley, Hoag, Hunt, Jones, Mangold, Mitchell, Morehead, Moser, Noble, Parker, Quinn, Rosenkrans, Whitaker, Williams, and Mr. Speaker—25.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Bremner, Campbell, Clark of Des Moines, Claggett, Conner, Cowing, Doggett, Darling, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Haskell, Harris, Hedges, Hotchkiss, Jones, Kellogg, Lambert, Lynch, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter—50.

Absent or not voting—Bemis, Curtis, Hall, Jennings, LeLacheur, Macomber, Merrill, Robinson, Sabin, Whitaker and Wright.

The motion was lost.

The question then recurring upon the adoption of the amendment offered by Mr. Williamson, of Louisa, upon the adoption of which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bracewell, Bennett, Bremner, Claggett, Cowing, Doggett, Darling, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Haskell, Harris, Hedges, Hotchkiss, Jones, Kellogg, Lambert, Lynch, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Paulk, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow—42.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Crawford, Davis of Johnson, Dennison, Gniffke, Goodrell, Gue, Gurley,

Hoag, Hunt, Mangold, Mitchell, Moser, Noble, Parker, Peet, Quinn, Robb, Whitaker, Williams, Witter, and Mr. Speaker—34.

Absent or not voting—Bemis, Curtis, Hall, Jennings, LeLacheur, Macomber, Merrill, Robinson, Sabin and Wright.

The amendment was adopted.

Mr. Gillett moved to amend Caldwell's amendment by striking out five and inserting three. Lost.

The question then recurring upon the amendments of Caldwell to section 10, were adopted.

Mr. Bennett moved to strike out section 10, upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bereman, Barnes, Bracewell, Bennett, Bremner, Crawford, Doggett, Dunlavey, Gillett, Glasgow, Harris, Hotchkiss, Hunt, Jones, Kellogg, Lambert, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Paulk, Reed, Rees, Riddle, Robb, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow—38.

The nays were—Messrs. Baker, Bowdoin, Barnes, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gniffke, Goodrell, Gue, Gurley, Haskall, Hoag, Mangold, Mitchell, Moser, Noble, Parker, Peet, Quinn, Rosenkrans, Whitaker, Williams, Witter, and Mr. Speaker—35.

Absent or not voting—Bemis, Curtis, Hedges, Jennings, LeLacheur, Lynch, Macomber, Merrill, Price of Lee, Robinson, Ruddick, Sabin, Wright.

Motion prevailed.

Mr. Gue moved to refer the bill to a select committee of five. Lost.

Mr. Caldwell moved to strike out "one" and insert "five;" also insert in fourth line after the word warrant, describing particularly.

Mr. Williamson of Louisa, moved that the bill be engrossed.

Mr. Lambert moved to lay the bill on the table; upon which, Claggett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bracewell, Blackford, Clark of Johnson, Cottell, Crawford, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Hoag, Lambert, Millard, Morehead, Moser, Noble, Parker, Rosenkrans, Ruddick, Williamson of Louisa, and Mr. Speaker—23.

The nays were—Messrs. Baker, Beal, Bennett, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Doggett, Darling, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gue, Gurley, Haskall, Harris, Hotchkiss, Hunt, Jones, Kellogg, Mangold, McCullough of Jackson, McCul-

lough of Lee, McQuinn, Mitchell, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Robb, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter—50.

Absent or not voting—Messrs. Bemis, Curtis, Hall, Hedges, Jennings, LeLacheur, Lynch, Macomber, Merrill, Rees, Robinson, Sabin, and Wright.

Motion lost.

The question being upon the amendment of Mr. Caldwell to strike out "one" and insert "five," upon which, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Doggett, Davis of Johnson, Ellis, Gniffke, Gue, Gurley, Harris, Hotchkiss, Jones, Lynch, Mangold, McCullough of Lee, Mitchell, Moser, Noble, Parker, Peet, Price of Lee, Quinn, Robb, Shipman, Stevens, Taylor, Whitaker, Williams, Williamson of Warren, Witter and Mr. Speaker—40.

The nays were—Messrs. Bereman, Bennett, Blackford, Bremner, Clark of Johnson, Crawford, Darling, Davis of Jasper, Dennison, Dunlavey, Gillett, Glasgow Haskell, Hoag, Hunt, Kellogg, Lambert, McCullough of Jackson, McQuinn, Millard, Morehead, Paulk, Price of Muscatine, Reed, Rees, Riddle, Rosenkrans, Rudick, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow—34.

Absent or not voting—Messrs. Bemis, Curtis, Goodrell, Hedges, Jennings, LeLacheur, Macomber, Merrill, Robinson, Sabin and Wright.

The amendment was adopted.

Mr. Caldwell moved to strike out so much of section three as occurs after, and at the end of the third line, and "be" in the fourth line, relating to books to be used as evidence. Lost.

Mr. Caldwell moved to refer the bill to a select committee of five. Lost.

Mr. Bennett moved that the bill be engrossed and read a third time to-morrow. Carried.

REPORTS OF COMMITTEES.

Mr. Dennison, from the committee on enrolled bills, submitted the following report:

The committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled:

Substitute for house file 57, a bill for an act to repeal part of section 6, chapter 93 of the acts of the seventh General Assembly.

House file number 198, a bill for an act entitled an act to annex

the township of Van Buren to the townships of Jackson, Montrose and Des Moines, in Lee county, for Judicial purposes.

J. W. DENNISON,
J. E. WILLIAMSON.

Mr. Dennison, from the committee on enrolled bills, submitted the following report :

The committee on enrolled bills, ask leave to report that they have examined the following bills and find the same correctly enrolled :

House file number 3, an act to amend section two of chapter one hundred and fifty-five of the acts passed at the regular session of the seventh General Assembly, approved March 23d, A. D. 1858.

House file number 213, an act entitled an act supplementary to an act to fix the time of holding court in the Fifth Judicial District of the State of Iowa, approved February 16th, 1860.

J. W. DENNISON,
J. E. WILLIAMSON.

The committee on enrolled bills, ask leave to report that they have examined the following bills, and find the same correctly enrolled :

House file number 174, a bill for an act in relation to the Des Moines River Improvement and abolishing the office of commissioner thereof.

House file number 100, an act to amend section 530 of the Code.

J. W. DENNISON,
J. E. WILLIAMSON.

BILLS ON SECOND READING.

House file number 107, a bill for an act to amend section 1706, chapter 102 of the Code, relating to change of venue, was read a second time, and on motion of Mr. Caldwell, was laid on the table.

House file number 163, a bill for an act to regulate the manner of administering oaths, was read a second time, was ordered engrossed for a third reading on to-morrow.

Senate file number 10, a bill for an act to amend section 1240, of the Code of Iowa, was read a second time, and to be read a third time on to-morrow.

House file number 202, a bill for an act amending chapter fifteen of the Code of Iowa, was read a second time and laid on the table.

House file number 171, a bill for an act in relation to obstructions in the Des Moines River, &c., &c., was read a second time and laid on the table.

House file number 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum which passed the Senate, with amendments, was read, and upon the

question of concurring in the amendments, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Bracewell, Bennett, Blackford, Clark of Jefferson, Doggett, Ellis, Glasgow, Lynch, Moser, Price of Muscatine, Rosenkrans, Williamson of Louisa—12.

The nays were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gillett, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Kellogg, Lambert, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morchead, Noble, Parker, Paulk, Quinn, Reed, Rees, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter and Mr. Speaker—58.

Absent or not voting—Messrs. Beal, Bemis, Curtis, Hall, Jennings, Jones, LeLacheur, Macomber, Merrill, Peet, Price of Lee, Riddle, Robinson, Sabin, Whitaker and Wright.

The Senate's amendments to the bill were not concurred in.

By leave, Mr. Robb submitted the following report :

The committee of ways and means, to whom was referred house file number 178, have had the same under consideration, and instructed me to report a substitute therefor, and recommend its passage.

W. H. F. GURLEY, Chairman.

By leave, Mr. Goodrell introduced house file number 217, a bill for an act defining the duties of Railroad Companies; was read first and second time, and ordered printed.

House file number 151, a bill in relation to the levee on Muscatine Island, was, on motion, taken up and referred to the delegations from Muscatine and Louisa counties.

Mr. Caldwell moved that house file 29 be made the special order to-morrow morning. Carried.

By leave, Mr. Witter introduced house file number 218, a bill for an act to authorize the appropriation of the proceeds of swamp land sales, in certain cases, to the building of bridges; was read a first time.

Mr. Shipman called up house file number 181, and, on motion, it was made the special order to-morrow afternoon.

By leave, Mr. Clark, of Johnson, presented the petition of 159 citizens of Johnson county, praying authority by special act to County Judge of Johnson county, to purchase a Poor House Farm, &c.; was referred to the delegation from Johnson county.

Mr. Blackford presented the petition of citizens of Kossuth Co., asking that the lands forfeited to the State by the Central Air Line Railroad Company, revert to the general government, on the passage of a grant for a road from McGregor west, through the State; was referred to committee on public lands.

By leave, Mr. Williams presented the following resolution :

Resolved, That the committee on agriculture be instructed to enquire into the expediency of reporting a bill to establish Flour Inspector.

Which was adopted.

Mr. Gurley presented a memorial from citizens of Scott county, praying that a law may be passed so as to make and establish the office of township collector in each township, to collect the revenue, &c., &c.; was referred to committee on ways and means.

Mr. Caldwell, by leave, presented the petition of citizens of Van Buren county, asking to have certain improvements on real estate exempt from taxation; was referred to committee on ways and means.

Mr. Bennett, by leave, presented the following resolution, which was read, and laid over under the rule one day :

WHEREAS, A requisition was made on the Governor of Iowa, by the Governor of Virginia, for one Barclay Coppic, an alleged participant in the difficulties at Harper's Ferry, Virginia, as a fugitive from justice, and

WHEREAS, The Governor of Iowa has refused to deliver up said Coppic under said requisition, alleging informality and technical defects therein; and

WHEREAS, It is common rumor, and generally believed, that said Coppic was notified immediately that there was a requisition demanding that he be delivered up to the authorities of Virginia, and that in consequence of said information, he has fled his country, or otherwise secluded himself to prevent the enforcement of law; therefore, be it

Resolved, That His Excellency, the Governor of Iowa, be requested to lay before this House a copy of the requisition directed to him by the Governor of Virginia, and all matters connected therewith; also, to inform this House whether he possesses any knowledge in regard to the rumor that a special messenger was dispatched to inform Coppic of his danger; and if so, who said messenger was, and if within his knowledge, by what authority said messenger was dispatched to inform Coppic of his danger.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
Friday, March 2d, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.
Journal of yesterday read and approved.

BILLS ON SECOND READING.

House file number 69, a bill for an act relating to the State Bank of Iowa, and branches thereof, and to private banks and bankers, was read a second time, and ordered to be laid on the table and printed.

By leave, Mr. Goodrell introduced house file number 219, a bill for an act to legalize the acts of Noah D. Haskall, a Notary Public in Polk county, Iowa; was read first and second time, and referred to committee on judiciary.

House file number 178, a bill for an act to legalize the levy of road tax in Sioux City, for the year 1859, was read a second time, and ordered to be engrossed and read a third time to-morrow.

House file 210, a bill for an act to regulate the issuing of executions in civil actions, and for the regulation of trials in attachment cases, was read a second time, and on motion of Mr. Caldwell, was laid on the table.

By leave, Mr. Caldwell, from the judiciary committee, to whom was referred a petition from citizens of Marion county, asking the repeal of all laws for the collection of debts after July 4th, 1860, introduced house file number 220, a bill for an act in relation to the collection of debts; which was read a first and second time, and laid on the table.

House file number 206, a bill for an act to exempt the homestead from taxation for State and county purposes, was read a second time, and referred to the committee on ways and means.

Senate file number 82, a bill for an act to amend an act entitled an act to authorize the Dubuque & Pacific Railroad Company, and others, to bridge the Mississippi River at Dubuque, was read a second time, and ordered to be engrossed and read a third time to-morrow.

House file number 197, a bill for an act for the protection of the owners of cattle, hogs and sheep, against the depredations of thieves and others, was read a second time, when Mr. Davis, of Johnson, offered the following amendment: *Provided*, That the provisions of this section shall not apply to animals slaughtered within one hundred rods of any dwelling house; which was lost.

Mr. Paulk then offered the following amendment to section one: *Provided*, That it shall be a perfect defense to any prosecution under this act, for the defendant to establish the fact on the trial, that the cattle or other stock killed were his own, or that he would have a right to kill the same if it had been done in such inclosure; which was adopted.

The rule was suspended, the bill read a third time, and upon

the question, Shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bracewell, Bennett, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Dunlavey, Gillett, Glasgow, Goodrell, Gue, Gurley, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, LeLacheur, McCullough, of Lee, McQuinn, Morehead, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Shipman, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—47.

The nays were—Messrs. Baker, Bowdoin, Barnes, Blackford, Campbell, Conner, Cottell, Davis of Johnson, Ellis, Haskall, Lambert, Lynch, Mangold, McCullough of Jackson, Millard, Mitchell, Moser, Peet, Riddle, Robb, Ruddick, Stanton, Whitaker, Williams, Williamson of Warren—25.

Absent or not voting—Beal, Bemis, Bremner, Curtis, Dennison, Gniffke, Hall, Jennings, Kellogg, Macomber, Merrill, Robinson, Sabin and Wright.

The bill passed and the title was agreed to.

Mr. Caldwell, from committee on judiciary, to whom was referred house file number 219, reported the same back and recommended its passage.

The rule was suspended, the bill read a third time, and upon the question, Shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Caldwell, Clark of Des Moines, Claggett, Cottell, Cowing, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Peet, Price of Lee, Price of Muscatine, Quinn, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—63.

The nays were—Messrs. Bereman, Paulk, Reed, Rees, Riddle—5.

Absent or not voting—Beal, Bemis, Bremner, Campbell, Clark of Johnson, Conner, Crawford, Curtis, Dennison, Gniffke, Hall, Kellogg, Macomber, Merrill, Robinson, Sabin, Whitaker, Wright.

The bill was passed and title agreed to.

The resolution of Mr. McCullough, of Lee, relative to the non-delivery of the reports from Auditor of State, was taken up and adopted.

The resolution of enquiry relative to Barclay Coppic was taken up, when Mr. Gurley offered the following substitute:

WHEREAS, There has lately appeared in the public press, a message purporting to have been sent by the Governor of the State of Virginia to the Legislature of that State, in which it is stated that a requisition had been made by the Executive of that State, upon the Executive of this State, for the rendition of one Barclay Coppic, as a fugitive from justice; and that the requisition had been refused, for reasons stated in said message to be exceedingly frivolous, and such as have in no previous instance, to my knowledge, influenced the action of any State Executive in its intercourse with this Commonwealth." Therefore, be it

Resolved, That the Governor of this State is requested to communicate to this House, all the facts, together with a copy of all papers and correspondence connected with or growing out of said requisition, and its refusal.

Mr. Caldwell moved the previous question, which was seconded.

Mr. Bennett moved a call of the House; pending which, Mr. Williams moved that further proceedings under the call be dispensed with.

The Speaker decided the motion out of order.

Mr. Bennett appealed from the decision of the Chair.

The question then being, Shall the Chair be sustained, and the decision of the Chair be the decision of the House, the yeas and nays were demanded by Mr. Bennett, were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter—58.

The nays were—Messrs. Baker, Barnes, Bennett, Claggett, Conner, Dunlavey, Haskall, Harris, Hedges, Hotchkiss, Rees, Robb, Williams—13.

Absent or not voting—Beal, Bemis, Bennett, Campbell, Curtis, Doggett, Dennison, Ellis, Hall, Kellogg, Macomber, Merrill, Paulk, Robinson, Sabin, Taylor, and Wright.

The decision of the Chair was sustained.

Mr. Jennings moved to adjourn; upon which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Bracewell, Campbell, Clark of Des Moines, Jennings, Kellogg, LeLacheur, Paulk, Peet, Price of Lee, Williams, Williamson of Warren—12.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Hoag, Hotchkiss, Hunt, Jones, Lambert, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—61.

Absent or not voting—Beal, Bemis, Curtis, Dennison, Hall, Harris, Hedges, Macomber, Merrill, Rees, Sabin, Whitaker, Wright.

Motion lost.

Mr. Baker moved that further proceedings under the call be dispensed with, pending which, Mr. Bennett moved the House adjourn. Lost.

Mr. Bennett then moved a call of the House.

Mr. Caldwell renewed the motion to suspend further proceedings under the call, upon which motion Mr. Bennett demanded the yeas and nays which were ordered, and were as follows :

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Harris, Hoag, Hunt, Lambert, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Price of Lee, Price of Muscatine, Quinn, Reed, Robb, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, and Mr. Speaker—46.

The nays were—Messrs. Bennett, Clark of Johnson, Clark of Des Moines, Conner, Doggett, Dunlavey, Gillett, Hedges, Kellogg, Le Lacheur, Lynch, McCullough of Lee, Noble, Peet, Rees, Riddle, Rosenkrans, Ruddick, Stevens, Williams—20.

Absent or not voting—Beal, Bemis, Campbell, Claggett, Curtis, Dennison, Ellis, Hall, Hotchkiss, Macomber, Merrill, Paulk, Robinson, Sabin, Taylor, Whitaker, Williamson of Warren, Wright.

The call was suspended.

Mr. Williams moved to adjourn.

Mr. Bennett demanded the yeas and nays which were ordered, and were as follows :

The yeas were—Messrs. Baker, Bracewell, Clark of Des Moines, Doggett, Dunlavey, Gniffke, McCullough of Jackson, McCullough of Lee, Price of Lee, Reed, Williams—11

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bremner, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Harris, Hedges, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Mitchell

Morehead, Moser, Parker, Peet, Price of Muscatine, Quinn, Rees, Riddle, Rosencrans, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker—50.

Absent or not voting—Messrs. Beal, Bemis, Bennett, Blackford, Caldwell, Campbell, Claggett, Curtis, Dennison, Ellis, Hall, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Macomber, Merrill, Noble, Paulk, Robinson, Sabin, Whitaker, Williamson of Warren, Wright.

The motion to adjourn was lost.

Mr. Bennett moved a call of the house.

The Speaker decided the motion out of order.

Mr. Bennett appealed from the decision of the chair.

The question then was, shall the decision of the Speaker be sustained, and the decision of the chair be the decision of the house, upon which question Mr. Bennett demanded the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Clark of Johnson, Clark of Des Moines, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rosencrans, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter—46.

The nays were—Messrs. Bennett, Conner, Dunlavey, Harris, Hedges, Hotchkiss, Jennings, McCullough of Lee, Price of Lee, Reed, Rees, Riddle, Stevens—13.

Absent or not voting—Messrs. Baker, Beal, Bemis, Caldwell, Campbell, Claggett, Curtis, Doggett, Dennison, Ellis, Hall, Jones, Kellogg, LeLacheur, Macomber, Merrill, Paulk, Peet, Robinson, Robb, Sabin, Taylor, Whitaker, Williamson of Warren, Wright, and Edwards.

The Chair was sustained.

Mr. Williams moved to reconsider the vote just taken, upon which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bennett, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Haskall, Harris, Hedges, Hotchkiss, McCullough of Lee, Peet, Reed, Rees, Riddle, Williams.—16

The nays were—Messrs. Bereman, Bowdoin, Blackford, Bremner, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hoag, Jennings, Lambert, Lynch, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Peet, Price of Muscatine, Quinn, Rosencrans, Robb, Ruddick, Shipman, Stevens, Streeter, Taylor,

Tompkins, Williamson of Louisa, Withrow, Witter, Mr. Speaker—46.

Absent or not voting—Messrs. Baker, Beal, Barnes, Bemis, Bracewell, Caldwell, Campbell, Curtis, Dennison, Ellis, Hall, Hunt, Jones, Kellogg, LeLacheur, Macomber, Merrill, Noble, Paulk, Price of Lee, Robinson, Sabin, Stanton, Whitaker Williamson of Warren, and Wright.

The motion lost.

Mr. Bennett moved to adjourn.

Mr. Williams demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Bracewell, Claggett, Dunlavey, Harris, McCullough of Jackson, Paulk, Peet, Riddle, Williams—10.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Hedges, Hoag, Hotchkiss, Hunt, Kellogg, Lambert, Lynch, McQuinn, Millard, Mitchell, Morehead, Noble, Parker, Price of Muscatine, Quinn, Reed, Rees, Ruddick, Stanton, Stevens, Tompkins, Williamson of Louisa, Withrow, Witter, Mr. Speaker—49.

Absent or not voting—Messrs. Beal, Bemis, Clark of Johnson, Conner, Curtis, Davis of Johnson, Dennison, Hall, Jennings, Jones, LeLacheur, Macomber, Mangold, McCullough of Lee, Merrill, Moser, Price of Lee, Robinson, Rosenkrans, Robb, Sabin, Shipman, Streeter, Taylor, Whitaker, Williamson of Warren, Wright.

Motion lost.

Mr. Bennett moved to reconsider the vote just taken; which motion the Chair declared out of order.

The question then being, Shall the previous question be seconded? Mr. Williams demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Barnes, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Mitchell, Morehead, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Stanton, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—37.

The nays were—Messrs. Baker, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Doggett, Dunlavey, Ellis, Gniffke, Hotchkiss, LeLacheur, Mangold, McCullough of Jackson, Paulk, Peet, Price of Lee, Reed, Rees, Stevens, Williams—20.

Absent or not voting—Beal, Bemis, Bowdoin, Clark of Johnson, Conner, Curtis, Davis of Johnson, Dennison, Hall, Harris, Hedges, Jennings, Jones, Macomber, McCullough of Lee, Merrill, Moser,

Price of Lee, Riddle, Robinson, Robb, Sabin, Shipman, Streeter, Taylor, Whitaker, Williamson of Warren, Wright.

The previous question was seconded.

The question then being, shall the main question be put, Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker—44.

The nays were—Messrs. Baker, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hotchkiss, Jennings, Kellogg, LeLacheur, McCullough of Jackson, Paulk, Peet, Reed, Rees, Robb, Stevens, Taylor, Williams, Williamson of Warren—25.

Absent or not voting—Messrs. Beal, Bemis, Conner, Curtis, Hall, Hedges, Jones, Macomber, Mangold, McCullough of Lee, Merrill, Price of Lee, Riddle, Robinson, Sabin, Whitaker, and Wright.

The previous question was sustained.

The question then being upon the adoption of the substitute offered by Mr. Gurley, upon which Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Johnson, Clark of Des Moines, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Kellogg, Lambert, Lynch, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—47.

The nays were—Messrs. Baker, Bracewell, Bennett, Campbell, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, LeLacheur, McCullough of Jackson, Paulk, Peet, Reed, Rees, Robb, Stevens, Williams, Williamson of Warren—24.

Absent or not voting—Messrs. Beal, Bemis, Curtis, Hall, Jones, Macomber, Mangold, McCullough of Jackson, Merrill, Noble, Price of Lee, Riddle, Robinson, Sabin, Whitaker and Wright.

The substitute was adopted.

Mr. Gue moved to reconsider the vote just taken.

Mr. Mitchell moved to lay the motion on the table, upon which

Mr. Bennett demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker—46.

The nays were—Messrs. Baker, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Reed, Rees, Robb, Stevens, Williams, Williamson of Warren—26.

Absent or not voting—Beal, Bemis, Curtis, Hall, Jones, Macomber, Merrill, Price of Lee, Riddle, Robinson, Sabin, Taylor, Whitaker, and Wright.

The motion prevailed.

Mr. Rosenkrans moved that the House adjourn. Carried.

HALL OF REPRESENTATIVES, }
Saturday, March 3. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

PETITIONS.

Mr. Baker presented a claim of C. J. Irwine, which was referred to the committee on claims.

Mr. Baker presented a petition of H. W. Perkins and others, asking for amendments to city charter of Camanche and for legalizing certain railroad bonds.

Mr. Parker presented the petition of J. C. Simpson, and other citizens of Jackson county, asking for a new county. Was referred to committee on county and township organization.

Mr. McCullough of Jackson presented a remonstrance of H. Todd, and 354 other citizens of Jackson county, against the formation of a new county from parts of Jackson and adjoining coun-

ties, was referred to the committee on county and township organization.

Mr. Lambert presented the petition of sundry citizens of Dallas county, praying that the amendment made to the Maine Law at the 7th General Assembly, may be repealed, was referred to committee on liquor law.

Mr. Reed presented the petition of W. H. Cotton and others, of Jackson county, praying a memorial for mail services; was referred to the committee on federal relations.

Mr. Clark of Johnson presented a petition of 293 citizens of Johnson county for a License law. Was referred to the select committee on liquor laws.

Mr. Quinn presented the petition of citizens of Scott county, praying for a personal liberty bill.

Mr. Quinn moved to refer the petition to a select committee of three.

Mr. Paulk moved to refer to committee on federal relations.

Mr. Claggett moved to amend by instructing the committee to report against the prayer of the petition. Mr. Gue demanded the yeas and nays on the amendment, which were as follows:

The yeas were—Messrs. Baker, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Riddle, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—30.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Morehead, Noble, Parker, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker—45.

Absent or not voting—Messrs. Beal, Bemis, Curtis, Hall, Macomber, Mitchell, Merrill, Moser, Robinson, Sabin, and Wright.

Motion lost.

Mr. Jones presented a petition from citizens of Winterset, asking the repeal of the act by which said city was incorporated. Was referred to committee on incorporations.

RESOLUTIONS.

Mr. Clark of Des Moines offered the following resolution:

Resolved, That the committee on charitable institutions be instructed to enquire into the expediency of a law to provide that a portion of the expenses of the charitable institutions of the State,

be collected from those receiving benefit from said institution and report by bill or otherwise: which was adopted.

Mr. Streeter offered the following resolution: *Resolved*, That the chief clerk of the house be directed to furnish each member of this house with a box of good steel pens and half a dozen pen holders, or with a good gold pen, as said member may select, and that the chief clerk be directed not to distribute any more pen holders or pens among the members, after such selection.

Mr. Clark of Des Moines moved that the resolution be indefinitely postponed, upon which the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Bennett, Caldwell, Campbell, Clark of Jefferson, Claggett, Cottell, Cowing, Doggett, Glasgow, Haskall, Harris, Hedges, Jones, Kellogg, Lambert, McCullough of Jackson, McCullough of Lee, Millard, Morehead, Moser, Parker, Reed, Rosenkrans, Stanton, Whitaker, Williamson of Louisa—26.

The nays were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Clark of Johnson, Clark of Des Moines, Conner, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Gniffke, Goodrell, Gue, Gurley, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Lynch, Mangold, McQuinn, Mitchell, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Rees, Rosenkrans, Robb, Ruddick, Shipman, Streeter, Taylor, Tompkins, Williamson of Warren, Withrow, Witter and Mr. Speaker—47.

Absent or not voting—Beal, Bemis, Curtis, Dunlavey, Hall, Macomber, Merrill, Riddle, Robinson, Sabin, Stevens, Williams, and Wright.

Motion lost.

The question then being upon the adoption of the resolution, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Blackford, Bremner, Clark of Johnson, Clark of Des Moines, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Gniffke, Goodrell, Gue, Gurley, Hoag, Hotchkiss, Hunt, Mangold, McQuinn, Mitchell, Noble, Parker, Paulk, Peet, Price of Lee, Riddle, Robb, Ruddick, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—41.

The nays were—Messrs. Bracewell, Bennett, Caldwell, Campbell, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Doggett, Dunlavey, Glasgow, Haskall, Harris, Hedges, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, McCullough of Jackson, McCullough of Lee, Millard, Merrill, Morehead, Price of Muscatine, Reed, Rees, Rosenkrans, Shipman, Stanton, Whitaker, Williamson of Louisa—34.

Absent or not voting—Beal, Bemis, Crawford, Curtis, Hall, Macomber, Moser, Quinn, Robinson, Sabin, and Wright.

The resolution was adopted.

Mr. Robb offered the following resolution : *Resolved*, By the General Assembly of the State of Iowa, that the following amendment to section eleven of article one of the Constitution be and the same is hereby proposed, that is to say : All offences less than felony, and in which the punishment does not exceed a fine of one hundred dollars, or imprisonment for thirty days, shall be tried summarily before a Justice of the Peace, or other officer authorized by law on information under oath, saving to the defendant the right of appeal : which was referred to the committee on federal relations.

Mr. Shipman offered the following resolution : *Resolved*, That while a call of the house is being had, the doors of this Hall shall be in charge of the Sergeant-at-arms, and no member shall be permitted to leave the hall without leave of the house : which was laid over under the rule.

Mr. Peet offered the following resolution : *Resolved*, That the committee on roads and highways be instructed to enquire into the expediency of a more efficient law, compelling the road supervisors of highways to erect guide boards at the forks and crossings of all established and traveled roads in this State. Adopted.

Mr. Robb presented a joint resolution being house file number 221, a joint resolution for the organization of Dacotah Territory. Was read first and second times and referred to committee on federal relations.

REPORTS OF COMMITTEES.

The committee of ways and means, to whom was referred house file number 46, a bill to amend section 16, chapter 158, of the laws of 1858, in relation to school lands and school funds, have had the same under consideration, and have directed me to report it back to the house and recommend that it do not pass.

W. H. F. GURLEY, Chairman.

Which report was received.

The committee of ways and means, to whom was referred house file number 143, a bill for an act for the relief of tax payers in certain cases, have had the same under consideration, and have directed me to report the same back to the house and recommend its passage.

W. H. F. GURLEY, Chairman.

Which report was received.

The committee of ways and means, to whom was referred affidavit and papers of V. H. Williams, have directed me to report them back to the house and recommend their reference to the committee on claims.

GURLEY, Chairman.

Which report was concurred in.

The committee of ways and means, to whom was referred resolution number 7, requesting them to enquire into the expediency

of repealing chapter 60, of the session laws of 1855, have directed me to report it back to the house and recommend its reference to the judiciary committee.

GURLEY, Chairman.

Which report was concurred in.

The committee of ways and means have had under consideration resolution number 4, which was referred to them, and have directed me to report that legislation of the character called for by that resolution, is not expedient.

W. H. F. GURLEY, Chairman.

Which report was laid on the table.

The committee of ways and means, to whom was referred a resolution providing for detaching one township from Shelby county and annexing it to Crawford county, have directed me to report it back to the house and recommend its reference to the committee on new counties.

W. H. F. GURLEY, Chairman.

Which report was concurred in.

The committee of ways and means, to whom was referred resolution number 11, directing them to inquire into the expediency of passing a law for the relief of purchasers at tax sales under the old law, whose claims have not been foreclosed, have directed me to report it back to the house and recommend its reference to the judiciary committee.

GURLEY, Chairman.

Which report was concurred in.

The committee on ways and means, to whom was referred Senate file number 4, a bill for an act in regard to the interest on delinquent taxes, have had the same under consideration, and instructed me to report it back to the house, with a recommendation that it do not pass.

L. LAMBERT.

Which report was received.

The committee of ways and means to whom was referred house file 168, have had the same under consideration, and directed me to report the same back to the house and recommend that it do not pass.

LAMBERT.

Which report was received.

The committee of ways and means, to whom house file 145 was referred, have had the same under consideration, and have instructed me report it back to the house with a recommendation that it do not pass.

LAMBERT.

Which report was received.

The committee on ways and means, to whom was referred house file 177, have had the same under consideration, and instructed me to report it back to the house and recommend its indefinite postponement.

LAMBERT.

Which report was received.

Mr. Caldwell, from committee on judiciary, to whom was referred house file number 48, a bill restricting the powers of town-

ship trustees, reported the same back and asked its reference to committee on ways and means. Agreed to.

The committee on claims, to whom was recommitted house file number 117, a bill for an act to pay a certain reward, report the same back to the house with amendments, giving four hundred dollars to Thomas Morgan and one hundred dollars to the widow of Thomas Meacham, deceased. The committee find that Thomas Morgan made the arrest under the reward, and delivered the prisoner to the Sheriff of Poweshiek county. The committee also find that Thomas Meacham was instrumental, to some extent, in terreting out certain facts in connection with the case; and in view of the consent of the parties, they have thought proper to award to her a portion of the reward of five hundred dollars in consideration of the services of her husband. They recommend the bill pass as amended.

All of which is respectfully submitted.

A. J. WITHROW, for committee.

The committee on schools and State University, to whom have been referred numerous petitions and resolutions, asking for various changes and modifications of the present school laws, after careful consideration of the same, have instructed me to report the accompanying bill and recommend its passage.

E. G. BOWDOIN, Chairman.

By Mr. Bowdoin : house file number 223, a bill for an act confirming the recent acts of the Board of Education, &c., was read first and second time and ordered printed.

Mr. Davis, of Johnson, from the minority of the committee on schools and State University, returned house file 195, as a minority report, and recommended its passage.

The committee on schools and State University, to whom was referred the petition of A. B. F. Hildreth and 114 others, also the petition of E. H. Morrison and 43 others, teachers and friends of education in Floyd county, also the memorial of common school teachers of Wayne county, all asking for further legislation in relation to Teachers' Institutes, have had the same under consideration, and have directed me to report the accompanying bill in relation thereto, and recommend its passage.

In behalf of the committee.

E. G. BOWDOIN, Ch'm.

By Mr. Bowdoin : house file 222, a bill for an act for the encouragement of Teachers' Institutes. Read first time.

By leave, Mr. Caldwell offered the following resolution :

Resolved, That the committee on schools be instructed to furnish the clerk with all laws and the amendments proposed by said committee or any minority thereof to the present school law, and that the clerk cause the same to be printed ; and,

Resolved further, That the Secretary of the Board of Education be requested to furnish the clerk of this house with any amendments he may deem proper to be made to the present law,

or to any of the laws proposed by the committee on schools, and that the clerk cause the same to be printed.

Which was adopted.

Committee on enrolled bills ask leave to report, that they have handed to the Governor for his signature, the following bills, viz :

House file number 3, an act to amend section 2 of chapter 155 of the acts of the seventh General Assembly, passed March 23, 1858.

House File 218, an act entitled an act supplementary to an act to fix the time of holding courts in the 5th Judicial District, approved February 16, 1860.

House file number 198, an act to annex the township of Van Buren to the township of Jackson, Montrose and Des Moines, in Lee county, for judicial purposes.

House file number 100, an act to amend section 530 of the Code.

Substitute for house file number 57, an act to repeal part of section 6 of chapter 98 of the acts of the Seventh General Assembly.

House file number 174, an act in relation to the Des Moines River Improvement and the abolition of the office of commissioner thereof.

J. W. DENNISON, Chairman.

The committee on new counties beg leave to report the following substitute for house file 199, and recommend its passage.

SHIPMAN.

Which report was received.

The committee on agriculture, to whom was referred a petition of citizens of Des Moines and Louisa counties, praying for a law to enable them to levy a tax to build a levee to protect their overflowed lands, have had the same under consideration and recommend that the prayer of the petitioners be granted ; that the petition be referred to the judiciary committee, with instructions to prepare a bill in accordance with the prayer of the petitioners.

B. F. GUE, Chairman.

Which report was received.

The committee on agriculture, to whom was referred house file number 200, an act to amend chapter 52 of the Code, in relation to fences, have had the same under consideration, and have directed me to report it back to the house and recommend its passage.

B. F. GUE, Chairman.

Which report was received.

The special committee, to whom was referred house file number 207, an act defining the duties of railroad companies, have had the same under consideration, and have instructed me to report the same back with certain amendments and recommend its passage. The amendments recommended by the committee are noted on a printed copy of said bill herewith submitted.

CALDWELL, Chairman.

Which report was received.

Mr. Caldwell moved to print railroad bills and amendments. Carried.

The committee on incorporations, to whom was referred the several petitions, resolutions, &c., for the amendment of chapter 157 of the acts of the Seventh General Assembly, an act entitled an act for the incorporation of cities and towns, have had the same under consideration, and report by bill and recommend its passage.

G. W. RUDDICK.

By Mr. Ruddick: house file 224, a bill for an act to amend chapter 137, of the acts of the Seventh General Assembly, an act entitled an act for the incorporation of cities and towns.

The committee on county and township organization, to whom substitute for house file 113 was referred, have had the same under consideration, and report the same back and recommend the following amendment:

Section 8. In place of "County Clerk," insert "Clerk of the Board."

Section 11, Sub-division 21. Add the following: "And to make such rules and regulations (not inconsistent with law,) as they may deem necessary for the government of their body, the transaction of business, and the preservation of order."

Section 16. Add, "Provided no supervisor shall receive pay for more than fifteen days in one year."

Section 21. After the taking effect of this act, neither the Co. Judge nor County Court shall have or exercise any of the powers hereby conferred upon the board of supervisors. But this act shall not affect said judge or court in any county, until the first meeting of said board of supervisors, in January, 1861.

Section 22. In all cases where the powers hereby conferred on said board of supervisors, have heretofore been by law exercised by the county judge, county court, or other county officers, the said supervisors shall conduct their proceedings under said powers in the same way and manner, as nearly as may be, as is now provided by law in such cases, for the proceedings of said county judge, county court and county officers; provided they are not inconsistent with the provisions of this act.

BILLS INTRODUCED.

By Mr. Clark, of Johnson: house file number 225, a bill for an act to give greater security to venders and mortgagees of real estate; was read first and second time, and referred to committee on judiciary.

By Mr. Clark, of Johnson: house file number 226, a bill for an act relating to assignment for creditors; was read a first and second time, and referred to committee on judiciary.

By Mr. Baker: house file number 227, a bill for an act relating to bridging the Mississippi river; was read a first and second time, and referred to committee on judiciary.

Resolved, That the committee on library be instructed to inquire into the expediency of making provision for a suitable library for the Supreme Court of this State, and to report by bill or otherwise.

Which was adopted.

Mr. Clark, of Johnson, presented a petition from Edmonds & Ransom, and G. W. Clark, asking the State to purchase the Law Library of James Grant, Esq., of Davenport; was referred to committee on libraries.

COMMUNICATIONS ON SPEAKER'S DESK.

The following communication was received from His Excellency, the Governor, in reply to a resolution concerning Barclay Coppic:

EXECUTIVE OFFICE, }
March 3d, 1860. }

Gentlemen of the House of Representatives :

I have received your resolution of yesterday, requesting me to communicate to you all the facts and correspondence connected with or in any way growing out of the demand made upon me for the arrest of Barclay Coppoc, and his surrender to the State of Virginia, as a fugitive from justice, and my reasons for refusing that demand.

The special message of the Governor of Virginia referred to in the preamble to your resolution, is of such extraordinary character as in my judgment to render proper the publicity of the information asked for by your resolution. All the papers and correspondence connected with, or in any way growing out of this matter, are the requisition of the Governor of Virginia, a copy of which I transmit, marked A.; the affidavit upon which said requisition is based, which I copy in the body of this communication; my letter to the Governor of Virginia, dated January 23d, 1860, a copy of which I transmit, marked B; and my letter to him dated January 24th, 1860, a copy of which I transmit, marked C. I have not received from the Governor of Virginia a reply to either of my letters to him, and I have not had correspondence upon this subject with any other person.

The facts touching that requisition were these: On the 23d day of January last, an agent of Virginia called upon me and presented his commission from the Governor of that State, as such agent, to receive Coppoc, who was demanded in the same commission as a fugitive from justice, as appeared by an annexed document, of which the following is an exact copy:

“CITY OF RICHMOND, and State of Virginia, to wit:

“Andrew Hunter maketh oath and saith, that from information received from several of the prisoners recently condemned and exe-

cuted at Charleston, Jefferson county, Virginia, and from other facts which have come to his knowledge, he verily believes that a certain Barclay Coppoc was aiding and abetting a certain John Brown, and others, who on the sixteenth and seventeenth days of October, in the year 1859, did feloniously and treasonably rebel and commit treason against the commonwealth of Virginia, at a certain place called Harper's Ferry, in said county of Jefferson, and who did then and there feloniously conspire with and advise certain slaves in the county aforesaid to rebel and make insurrection against their masters, and against the authority of the laws of said Commonwealth of Virginia—and who did then and there feloniously kill and murder certain Hayward Sheppard, a free negro, and George W. Turner, Fontaine Beckham, and Thomas Barclay—and affiant further states that from information recently received, he verily believes that said Barclay Coppoc is a fugitive from justice, now escaping in the State of Iowa.

“Sworn to before me a Notary Public in and for the city of Richmond, in the State of Virginia, this ninth day of January, 1860. “S. H. BOYKIN, N. P.”

Upon examination of this paper, I declined to issue my warrant for the arrest of the alleged fugitive, because, in my judgment, no authority so to do was conferred upon me by law, in a case resting on such a basis.

It is a high prerogative of official power in any case, to seize a citizen of the State and send him upon an *ex parte* statement, and without any preliminary examination, and without confronting him with a single witness, to a distant State for trial. It is a prerogative so high that the law tolerates its exercise only on certain fixed conditions, and I certainly shall not exercise that power to the peril of any citizen of Iowa, upon the demand of the State of Virginia, or of any other State, unless these conditions are complied with.

The act of Congress provides that besides the Executive demand for the fugitive, there shall be produced “the copy of an indictment found, or an affidavit made before a magistrate of any State or Territory, as aforesaid, charging the person so demanded with having committed treason, felony or other crime, certified as authentic by the Governor,” &c., &c., upon the presentation of which it becomes my duty to cause the arrest to be made. There was not any “copy of an indictment found” presented to me, and of course the case rested upon the affidavit.

I refused the order of arrest in this case for the following reasons :

1st—The affidavit presented, was not made before “a magistrate,” but before a Notary Public.

2d—Even had the law recognized an affidavit made before a Notary Public, the affidavit in this case was not authenticated by the Notary's seal.

3d—The affidavit does not show, unless it be inferentially, that Coppoc was in the State of Virginia at the time he “aided and abetted John Brown and others,” as stated therein.

4th—It did not legally “charge him” with commission of “treason, felony or other crime.”

I will consider the first and second reasons in connection. It will not be pretended that a Notary Public, an officer unknown to the common law, and equally unknown to the administration of justice, and never charged directly or indirectly with any step from first to last in the trial of criminal offenses, is “a magistrate within the meaning of the term” as used here or elsewhere. The Governor of Virginia does not so pretend, but seeks to avoid the force of this objection by citing an act of Congress, passed September, 1850. He says:—“But the Governor of Iowa has failed to see that by an act of Congress, passed on the 16th day of September, 1850, it is provided that in all cases in which, under the laws of the United States, oaths or affirmations, or acknowledgments may be taken before any Justice of the Peace of any State or Territory, such oaths, affirmations or acknowledgments may hereafter be also taken or made by or before any Notary Public duly appointed in any State or Territory.” “This act,” he adds, “completely overthrows the reasons assigned by the Governor of Iowa, and makes the case so plain that argument and illustration can add nothing to it.” It is true, I had not seen this act when I refused the warrant for Coppoc’s arrest; but if I had seen it, my action would have been the same. In answer to my objection that the seal of the Notary was not attached to the affidavit, he says: “The Notary before whom the affidavit was made, was duly appointed in pursuance of the laws of this Commonwealth, (Virginia,) *and his signature was accompanied by a scroll*, in precise conformity with established usage and the decisions of our courts, which recognize scrolls as seals.”

If the Governor of Virginia has not “failed to see” the “act of Congress, passed September 16th, 1850,” he has certainly failed to read it. To suppose that he had read it would be to suppose that he had quoted just so much of said law as tended to support the position he had taken, and suppressed so much of it as showed that position to be untenable—a supposition which my sense of “comity” forbids my entertaining for a moment. I supply that portion of the law which he has, doubtlessly through inadvertence, omitted. The last words quoted by him, the words “State or Territory,” are in the law as printed, followed by a comma, and then in immediate connection follow these words: “*and when certified under the hand and official seal* of such Notary, shall have the same force and effect, as if taken or made by or before such justice or justices of the peace. [See 9th U. S. Statutes at large, page 458.] From this it appears by express provision of the law of Congress, an affidavit made before a Notary Public, shall have

"force and effect" *only* when "*certified under his hand and official seal.*" Now, the affidavit made in this case before a Notary Public, is *not* certified under his hand and official seal, and I regret to be compelled to add that the statement of Governor Letcher, that the signature of the Notary to the affidavit, "was accompanied by a scroll" is wholly unfounded in fact. So far is this from being correct, that to this document received from him and still in my possession, there is neither seal, nor scroll, nor mark, nor device whatever. "Comity" requires that I shall express my belief that in so radical an error of fact, the Governor of Virginia was misled by the information of others, or by a defective memory, rather than by a desire to support his argument by a misrepresentation.

To recapitulate upon these points: The law of 1793, provides that when in this class of cases, an affidavit is used, such affidavit must be made "before a magistrate." The Governor of Virginia does not pretend that a Notary Public is "a magistrate" within the meaning of that law, but claims that by the law of 1850, the law of 1793 was so modified as to permit the use of affidavits made before Notaries Public. But the same law of 1850 which modifies the law of 1793, expressly and in terms, provides that such affidavits, made before a Notary Public, "shall have the force and effect" *only* when "*certified under his hand and official seal,*" and the affidavit in this case was *not* so certified. Not being so certified, it did not have "force and effect," and not having "force and effect" no warrant could issue upon it. It will be observed that the official seal of the Notary is expressly required by the act of Congress, and being so required, I could not waive it if I would. It appears to me that upon these points, "the case is so plain that arguments and illustration can add nothing to it."

I leave this part of the discussion here, waiving the question whether this law of 1850, so general in its terms, can be construed as repealing or amending the specific requisites of the special act providing in all respects the mode by which fugitives from justice are to be surrendered to another sovereignty for trial. I am advised that this construction would not be admitted by the Courts, and is altogether untenable and is without precedent in this State.

My third and fourth reasons, (which I shall also consider in connection) are, that the affidavits did not show otherwise than by inference that Coppoc was in Virginia at the time he "aided and abetted" John Brown and others, as stated; and did not legally charge him with crime. What is the substance of the affidavit? Stripped of all verbiage, it is this and this only: Andrew Hunter swears "that John Brown and others on certain days and at a certain place in the State of Virginia, committed certain crimes," and "that from information received from several persons" recently condemned and executed in Virginia, and "from other facts that have come to his knowledge," he "*verily believes*" that Barclay Coppoc, "aided and abetted" said John Brown and others in

the commission of said crimes, and that from other information more recently received, he "*verily believes* said Barclay Coppoc is a fugitive from justice now escaping into the State of Iowa."

Now what is the law? I quote a note from Brightly's Digest of the laws of the United States, page 293: "The affidavit, when that form of evidence is adopted, must be at least so explicit and certain that if it were laid before a magistrate it would justify him in committing the accused to answer the charge: 6 *Penn. Law Jour.* 414, 418. It must state *positively* that the alleged crime was committed in the State from which the party is alleged to be a fugitive, and that the party is actually a fugitive *from that State*. "*Ex parte Smith*, 3 *McLean* 121, 122, *Fetters case* *Zabr.* 311. In the matter of Hayward, 1 *Sandf. S. C.*, 701; *Degant vs. Michael*, 2 *Carter*, 396. I quote further from 3 *McLean* 135: "Again the affidavit charges the shooting on the 6th of May in the county of Jackson and State of Missouri, *that he believes he has good reason to believe from evidence and information now (then) in his possession, that Joseph Smith was accessory before the fact, and is a resident or citizen of Illinois.*" The Court go on to say: "There are several objections to this. Mr. Boggs, [the affiant in that case] having the evidence and information in his possession, should have *incorporated it in the affidavit*, to enable the Court to judge of their sufficiency to support his belief. Again, he swears to a legal conclusion, when he says Smith was an accessory before the fact. What constitutes a man an accessory is a question of law, and not always easy of solution. Mr. Boggs' opinion then is not authority. He should have given the facts. He should have shown that they were committed in Missouri, to enable the Court to test them by the laws of Missouri, to see if they amounted to a crime. Again, *the affidavit is fatally defective in this, that Boggs swears to his belief.*"

Let us apply these rules to the affidavit under consideration. Andrew Hunter does not swear *positively* that Coppoc was ever in Virginia. He says certain persons other than Coppoc committed certain crimes at certain places in that State, and that Coppoc "aided and abetted" them, leaving to be inferred that he was with them in Virginia; but he might have furnished arms from Ohio, or ammunition from Pennsylvania, or aid and comfort from Maryland; thus "aiding and abetting" the crime committed in Virginia, without being there in person, and yet not liable to be tried in Virginia for so doing. Mr. Hunter says Coppoc is "a fugitive from justice, escaping in the State of Iowa." From what State? From Virginia, or Maryland, or Pennsylvania, or Ohio? It may be *inferred* the escape was from Virginia; but it is not "positively" so stated, nor is there on either point that "certainty that would justify a magistrate in committing an accused party." Again, Mr. Hunter "having the evidence and information in his possession, should have incorporated it in the affidavit." He swears to a legal

conclusion when he says, "*Coppoc aided and abetted.*" What constitutes *aiding and abetting* "is a question of law and not always of easy solution." Mr. Hunter's "opinion is not authority. He should have sworn to the facts." The affidavit is fatally defective in this, that "Hunter swears to his belief." The whole case is this: A paper was presented to me purporting to be an affidavit made under a law of Congress, but not made before an officer recognized by that law; or if the law of 1850 applies to this class of cases, lacking to its authenticity an essential requisite prescribed by that law. That paper was made the basis of a demand that I should arrest and surrender for trial for crime, in a distant State, a citizen of this State, while it contained only the statement of a person wholly unknown to me, *that he believed* the citizen was guilty of a crime; which crime if committed at all, might for aught appearing in the paper, have been committed in any other State as well as Virginia. I refused the demand made upon me, and now after a more full and careful consideration of the matter than I then gave it, I am content with the decision then made.

My action in this matter is not without precedent in our own State. My immediate predecessor refused a warrant for a citizen of this State, upon a requisition from the State of Indiana, upon the ground that the affidavit upon which the requisition was based, although sufficient in substance, was made before a Notary Public. The Governor of Indiana did not, as I am advised, consider this refusal as evidence that the people or authorities of Iowa were unwilling to perform their constitutional obligations, or a matter of sufficient importance to be the subject of a special message to the General Assembly of that State.

The Governor of Virginia complains that I did not cause Coppic to be arrested and held until another requisition in proper form could have been sent to me. The law of this State provides the manner in which such provisional arrest shall be made, (Code, Sec. 3284, and the remaining sections of that Chapter.) I called the attention of the agent of Virginia specially to this law, read it to him, and placed it in his hands, and requested him to advise with counsel in relation thereto, and act upon that advice. For some reason, doubtless satisfactory to himself, but wholly unknown to me, he did not, so far as I have learned, act under the provisions of that law. If the Governor of Virginia has cause for complaint against any person on this point, it is against his own agent, and not against me.

The Governor of Virginia also complains that the first of my letters to him was published in the papers of this State before it had reached him. This is probably true. During the afternoon of the day on which the requisition was presented to me, and after that fact had become public, many inquiries were made of me, touching the matter, and great desire expressed to know my reasons for refusing the warrant. It would have been useless and

absurd in me to have affected secrecy in regard to the matter, when the agent of Virginia had himself made it public; and I answered inquiries by stating the facts, and for my reasons referred to my letter, a copy of which I had kept. Some of the gentlemen who read the letter, suggested that, as the matter would probably excite some public interest, it would be well to publish the letter; and not being able to see how, under the circumstances, any possible injury could result from its publication, I allowed copies to be taken for that purpose. It is to me a matter of profound regret that the Governor of Virginia did not, in his special message, content himself with an examination of the legality of the documents sent by him to me, and of my official action thereon, without attempting to convert a question of official power and duty into a question of personal motives. Not satisfying himself, apparently, that he had a good cause of complaint against me upon the law or the facts of the case, he repeats some hearsay, some suspicions of his own or his agents, some broken extracts from my inaugural address, and from all these, attempts to justify his insinuations of my sympathy with the crimes lately committed in Virginia, and of my desire, perhaps efforts, for the escape of this alleged fugitive. I repel all such suggestions coming from him or from others, with the scorn they deserve; and I would not dignify them by any notice, were it not for this consideration. Right-minded men in other States may well suppose that the chief magistrate of Virginia could not make charges so grossly violative of the courtesy due by him to the chief magistrate of a sister State, unless he knew the charges to be sustained by the facts, and might construe my silence into an admission of their truth.

The fact that an agent of Virginia was here, with a requisition for Coppie, became publicly known in this place, solely through the acts of that agent himself. I denied myself what I greatly desired, the privilege of consultation with gentlemen in whose opinions I had confidence, touching the legality of the papers submitted to me, lest the matter might thereby, through inadvertance, become known. After I had communicated to him my determination not to grant the warrant demanded, he sat in my office conversing freely with me on the subject. During our conversation, other persons came in on business with me, and to my surprise he continued the conversation in their presence. I said to him, that I had supposed he did not wish his business to be made public; to which he replied, that as the warrant had been refused, he did not care who knew his business, and continued the conversation. In this manner the fact that a requisition had been made for Coppie became known in this place; and I am credibly informed that it was well known in Iowa City, to many persons there, that the agent of Virginia was on his way to this place with such requisition, before he reached here.

The insinuation that I had anything to do, directly or indirectly,

with sending information to Coppoc, that a requisition had been made for him, is simply and unqualifiedly untrue; nor have I any means of knowing whether such information was sent by others; or if so, by whom sent, other than that common to all persons then at the Capital—common rumor.

Were I disposed to follow the course pursued by the Governor of Virginia, I might perhaps find in this matter sufficient to justify the conclusion, that he has been throughout more anxious to lay a foundation for complaint against Iowa, for the purpose of inflaming sectional prejudice, than to procure the return of Coppoc to Virginia. The facts that the papers transmitted are so grossly defective; that the agent sent with them was so careless to keep secret his mission, that when his demand for a warrant was refused on the ground that his papers were insufficient, he failed to make use of the law pointed out to him for the provisional arrest of the alleged fugitive until new papers could be procured; and that the Governor of Virginia, without answering my letters or asking any explanations, has seen fit to promulgate his extraordinary special message, might justify that conclusion that those who are astute to discover, and deem it consistent with fair dealing to impute bad motives for all acts done by others, and the same process of reasoning might lead me to conclude that his declarations of attachment to the Union, are but a cover to conceal on his part the design openly proclaimed by many with whom he fraternizes politically, to destroy that Union if they cannot control it.

The people of Iowa need no defense at my hands. They love the Union and are determined it shall be preserved. Their fealty to it is not determined by the fact whether or not they control its policy, and enjoy its honor and emoluments, and although they may believe at times that that policy is controlled for improper purposes, and those honors and emoluments placed in unworthy hands, they will still quietly wait until a change shall be made, in a legitimate and constitutional way; and when that time shall have come, they will see to it that the Union shall still be preserved.

Permit me to say in conclusion, that in my judgment, one of the most important duties of the official position I hold, is to see that no citizen of Iowa is carried beyond her border, and subjected to the ignominy of imprisonment and the perils of trial for crimes in another State, otherwise than by due process of law. That duty I shall perform. Whenever the Governor of Virginia, or of any other State, shall transmit to me papers properly executed, and containing proper proof, demanding the surrender of any one of our people, I shall promptly issue a warrant for his rendition, and not till then.

SAMUEL J. KIRKWOOD.

A.

*The Commonwealth of Virginia, to the
Executive Authority of the State of Iowa :*

WHEREAS, It appears by the annexed document, which is hereby certified as authentic, that Barclay Coppoc is a fugitive from justice from this State, charged with the crime of treason, conspiring with and advising slaves to rebel and make insurrection, and with murder perpetrated at the town of Harper's Ferry, in this Commonwealth, on the sixteenth and seventeenth days of October, in the year 1859 : Now therefore, I, John Letcher, Governor of the State of Virginia, have thought proper, by virtue of the provisions of the Constitution of the United States, in such cases made and provided, and of the laws of Congress in pursuance thereof, to demand of the Executive authority of Iowa, the arrest and surrender of Barclay Coppoc, and that he be delivered to C. Camp, who is hereby appointed the agent to receive him on the part of this Commonwealth.

Given under my hand as Governor, and under the
{ L. S. } Great Seal of the State, at Richmond, this 10th day of
 January, 1860, and in the eighty-fourth year of the
 Commonwealth. JOHN LETCHER.

B.

EXECUTIVE CHAMBER, IOWA, }
 Des Moines, Jan. 23d, 1860. }

To His Excellency, the Governor of Virginia :

SIR :—Your requisition for Barclay Coppoc, alleged to be a fugitive from justice from the State of Virginia, was this day placed in my hands by Mr. Camp. Having carefully considered the same, I am of opinion that I cannot, in the proper discharge of my duty as Executive of this State, grant the requisition, because it does not, in my opinion, come within the provisions of the Constitution of the United States, and the laws of Congress, passed in pursuance thereof. The certificate of the Notary Public, that the paper purporting to be the affidavit of Andrew Hunter, was sworn to, is not authenticated by his Notarial Seal, and for that reason, is no higher evidence of that fact, than would be the statement of any other citizen. Were this the only difficulty, I would, as it is in its nature technical, feel disposed to waive it in this case ; but there is a further defect, which in my judgment is fatal, and which my duty will not allow me to overlook.

The law provides that the Executive authority of a State de-

manding any person as a fugitive from justice, shall produce to the Executive authority of the State on which the demand is made, "the copy of an indictment found, or an affidavit made before a magistrate" of the State by which the demand is made. In this case, there is not a copy of any indictment produced, and the affidavit produced, is made before a Notary Public, who is not, in my judgment, a magistrate, within the meaning of the law of Congress.

This is a matter in which, as I understand, I have no discretionary power. Had the application been made to me in proper form, charging the offense charged in this case, the requisition must have been granted; and as it is, I have not any more authority to surrender the person demanded, than if requested to do so by a private letter.

Very respectfully,
SAMUEL J. KIRKWOOD.

C.

EXECUTIVE OFFICE, IOWA, }
Des Moines, Jan. 24th, 1860. }

To His Excellency, the Governor of Virginia :

On yesterday, Mr. Camp, of your State, presented to me a requisition for Barclay Coppoc, which I declined to grant, for reasons stated in a letter to you, which I handed to him, (Mr. Camp.)

I have since examined more carefully the body of the affidavit of Andrew Hunter, and beg leave to call your attention to it. Mr. Hunter states that from information received by him from certain persons condemned and executed in your State, and from other facts which have come to his knowledge, he believes that Coppoc was aiding and abetting John Brown and others, who on certain days, in Virginia, committed certain crimes; and that from information recently received, he verily believes Coppoc is a fugitive from justice, escaping in this State. It is not stated, unless it be inferentially, that Coppoc committed the acts charged, in the State of Virginia, nor are any of the facts upon which affiant bases his belief of Coppoc's guilt stated.

It seems to me very desirable that in case you shall deem it your duty again to demand Coppoc from the Executive authority of this State, that no question may arise upon the sufficiency of the papers upon which the demand shall be made, and I have therefore deemed it proper to make to you the above suggestions.

Very respectfully,
SAMUEL J. KIRKWOOD.

Mr. Claggett moved to lay the message on the table, and print.

Mr. Bennett moved to adjourn. Lost.

Mr. Claggett moved to amend by printing 5,000 copies of the message of the Governor of Virginia, relating to the requisition for Barclay Coppie, to be distributed among the members of this House, for circulation.

Mr. Gurley offered the following amendment to the amendment: "Provided this House receives official information that the State of Virginia has not sufficient funds to print the message of her Governor."

Mr. Goodrell called for a division of the question.

The Chair decided the question divisible.

Mr. Williams appealed from the decision of the Chair.

The question then was, shall the Speaker be sustained, and the decision of the Chair be the decision of the House. The yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Rosenkrans, Ruddick, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—43.

The nays were—Messrs. Baker, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Dunlavey, Ellis, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Paulk, Peet, Rees, Riddle, Stevens, Williams, Williamson of Warren—23.

Absent or not voting—Messrs. Beal, Bemis, Cartia, Doggett, Gniffke, Hall, Haskell, Macomber, McCullough of Jackson, McCullough of Lee, Merrill, Noble, Price of Lee, Robinson, Robb, Sabin, Shipman, Taylor, Whitaker and Wright.

The decision of the Chair was sustained.

Mr. Williams moved to adjourn. Lost.

Mr. Goodrell moved to amend by adding 5,000 copies of our Governor's message.

Mr. Bennett moved to lay the motion on the table; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Ellis, Gniffke, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Paulk, Peet, Rees, Riddle, Robb, Stevens, Taylor, Williams, Williamson of Warren—25.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hoag, Hunt, Lambert, Mangold, McQuinn, Millard, Mitchell, Morehead,

Moser, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—43.

Absent or not voting—Beal, Bemis, Curtis, Dunlavey, Hall, Haskall, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, Merrill, Noble, Price of Lee, Reed, Robinson, Sabin, Whitaker and Wright.

The motion to lay on the table did not prevail.

The question then being upon the original motion, as amended, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Price of Muscatine, Quinn, Riddle, Ruddick, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Mr. Speaker—44.

The nays were—Messrs. Baker, Bracewell, Bennett, Campbell, Clark of Des Moines, Conner, Doggett, Ellis, Gniffke, Harris, Hedges, Jennings, Jones, Kellogg, LeLacheur, Paulk, Peet, Reed, Rees, Stevens, Taylor, Williams, Williamson of Warren—23.

Absent or not voting—Messrs. Beal, Bemis, Claggett, Curtis, Hall, Haskall, Hotchkiss, Macomber, McCullough of Jackson, McCullough of Lee, Merrill, Noble, Price of Lee, Robinson, Robb, Rosenkrans, Sabin, Whitaker and Wright.

The motion prevailed.

Mr. Stanton was granted leave of absence for a few days.

Mr. Williams moved that when this House adjourns, it adjourn till Monday morning, at 9 o'clock. Carried.

Mr. Kellogg moved that the House adjourn. Carried.

HALL OF REPRESENTATIVES, }
Monday, March 5th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Peet.

The Journal of Saturday read and approved.

Mr. Taylor offered the following resolution :

Resolved, That no new matter shall be introduced for the action of this House, after the 15th day of March, 1860, except by unanimous consent.

Mr. Tompkins moved to lay the resolution on the table.

Mr. Clark, of Jefferson, moved to amend by striking out "15th" and inserting "20th." Lost.

The question being upon laying on the table, it was carried.

The following message was received from the Senate:

M. SPEAKER:—I am directed by the Senate to inform the House that the Senate has accepted and passed house substitute for senate file number 74, an act to pay the claim of Wm. McHargue.

I also return house file number 6, an act to repeal an act entitled "an act to authorize Paul O. Jeffries to transcribe and index certain records of Wapello county," the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

The following communication was taken from the Speaker's desk:

PELLA, FEB. 23, 1860.

TO CHARLES ALDRICH, ESQ.,

Clerk of the House of Representatives:

SIR:—Enclosed please find answer upon the resolution of enquiry from the House, which I received to-day.

Respectfully,

Yours obediently,

HENRY P. SCHOLTE.

Which communication was read, and Mr. Bennett moved to lay on table and print the usual number. Lost.

Mr. Goodrell moved that the communication be referred to committee on printing.

Messages from the Senate:

Mr. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 122, a bill for an act to amend Chapter 156 of the acts of the Sixth General Assembly, entitled "an act to encourage the organization of Fire Companies," in which the concurrence of the House is asked.

Also, senate file number 125, joint resolution asking additional mail facilities.

Also, senate file number 88, an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale on real estate, in all of which the concurrence of the House is asked.

I am also directed to inform the House that the Senate has receded from its amendment to house file number 57, a bill for an act to repeal part of section 6, Chapter 93, of the acts of the 7th General Assembly, and that the Senate has passed the same without amendment.

I am further directed to inform the House that the Senate has passed the following resolution, in which the concurrence of the House is asked:

I am also directed to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate file number 105, "an act to regulate and provide for the payment of jury fees, and fees of jurors."

Also, senate file number 87, "an act to amend section 24, of chapter 158, of the acts of the Seventh General Assembly."

Senate file number 113, "an act to legalize the city elections in the city of Glenwood."

I also return house file number 198, "an act to annex the township of Van Buren to the townships of Jackson, Montrose and Des Moines, in Lee county, for judicial purposes," the same having passed the Senate without amendment.

Also, senate file number 188, "a bill for an act to grant to the city of Dubuque title to certain lands," in which the concurrence of the House is asked.

I herewith return house file number 100, "an act to amend section 530 of the Code," the same having passed the senate without amendment.

I am also directed to inform the House that the Senate has passed senate file number 101, "an act rendering valid the service of original notices in certain actions," in which the concurrence of the House is asked.

Also, house file number 53, "an act making appropriations to meet the expenses of the Deaf and Dumb Asylum," the same having passed the Senate with amendments, in which the concurrence of the House is asked.

Also, senate file number 117, joint resolution for additional mail facilities from Eddyville, via Knoxville, to Des Moines.

Also, senate file number 110, an act to provide for the alteration and vacation of streets and alleys in unincorporated villages.

Also, senate file number 75, an act for the regulation of State and county roads within towns and cities.

I also return house file number 3, the same having passed the Senate without amendment.

I am directed by the senate to inform the House that the Senate has passed substitute for senate file number 135, in all of which the concurrence of the House is asked.

J. H. SANDERS, Sec'y Senate.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate file number 120, a bill for an act entitled an act changing the boundary of Dickinson county.

Also, senate file number 131, a joint resolution for additional mail facilities in the State of Iowa.

Also, senate file number 132, a joint resolution of instructions to our Senators and Representatives in Congress, to procure additional mail facilities in the State of Iowa.

J. B. PARKER, Ass't Sec'y.

BILLS ON FIRST AND SECOND READING.

Senate file number 122, a bill for an act to amend chapter 156 of the acts of the Sixth General Assembly, "an act to encourage the organization of Fire Companies," was read a first and second time, and referred to committee on corporations.

Senate file number 105, "a bill for an act to regulate and provide for the payment of jury fees," was read a first and second time, and referred to committee on judiciary.

Senate file number 87, a bill for an act to amend section 24, of chapter 158, of the acts of the Seventh General Assembly, was read first and second time, and referred to the committee on ways and means.

Senate file number 113, a bill for an act to legalize the city elections of the city of Glenwood, was read first and second time, and referred to committee on incorporations.

Senate file number 125, A joint resolution asking additional mail facilities, was read first and second times and referred to the committee on federal relations.

Senate file number 86, a bill for an act prohibiting the officers of counties and other municipal corporations from dealing in the indebtedness of their counties and corporations. Was read a first and second time, and referred to committee on judiciary.

Senate file number 117, a joint resolution asking the establishment of a daily mail route from Eddyville in Wapello county, via Knoxville in Marion county to Des Moines in Polk county. Was read a first and second time, and upon motion the rule was suspended, the Resolution was read a third time and adopted.

Senate file number 110, a bill for an act to provide for the alteration and vacation of streets and alleys in unincorporated villages. Was read first and second time, and referred to committee on judiciary.

Senate file number 75, a bill for the regulation of State and county roads within towns and cities. Was read first and second time and referred to committee on roads and highways.

Senate file number 208, a bill for an act to grant to the city of Dubuque, title to certain lands. Was referred to committee on public lands.

Senate file number 120, a bill for an act entitled an act changing the boundaries of Dickinson county. Was read a first and second time, and referred to committee on new counties.

Senate file number 131, a joint resolution for additional mail facilities in the State of Iowa, was read first and second time and referred to committee on federal relations.

Senate file number 132, a joint resolution for additional mail facilities, was read first and second time and referred to committee on federal relations.

Senate file number 101, a bill for an act rendering valid the ser-

vice of original notices, was read a first and second time and referred to committee on judiciary.

House file number 113, a bill for an act for the organization of counties and townships, was read a second time, and on motion the rule was suspended and the bill ordered to be read a third time to-morrow.

Mr. Williams moved to reconsider the vote. Carried.

Mr. Hall moved that the bill be made the special order for Wednesday. Carried.

Mr. Williams moved that senate file number 4, a bill in regard to the interest on delinquent taxes be taken up. Motion lost.

Mr. Paulk from committee on county and township organization presented the following report: The committee have had the same under consideration, and are of the opinion that a judicious fee bill would be preferable to a salary for compensating Clerk of the District Court and Treasurer and Recorder. The committee recommend that the whole matter be referred to a select committee with instructions to report a fee bill at an early day.

O. PAULK, in behalf of Com.

Which report was concurred in and the resolution referred to a select committee, consisting of Messrs. Paulk, Rees, Lambert, Harris, and Price of Muscatine.

House file number 222, a bill for an act in relation to Teachers' Institutes, was read a second time and Mr. Bowdoin moved the bill be read a third time. Motion lost.

Senate file number 4, a bill in regard to the interest on delinquent taxes, was taken up and read a second time, when Mr. Williams offered the following amendment as section 2 of the bill: That in all cases where persons have paid to any collector or treasurer of public revenue in any of the counties of this State, interest at the rate of twenty-five per cent per annum on delinquent taxes for the years 1857, 1858, 1859, shall, upon the production of their tax receipt showing the same, or upon any other satisfactory proof of the interest so paid in paying the taxes for the year 1860, be credited to a credit of the excess of interest so paid over and above ten per cent on such prior taxes.

Mr. Taylor moved to refer the whole matter to a select committee, of which Mr. Williams should be chairman.

Mr. Goodrell moved to recommit the bill, with instructions. Lost.

Mr. Taylor's motion was lost.

Mr. Williams' amendment was lost.

Mr. Olaggett, offered the following substitute for section 2 of the bill: When any person has heretofore paid for the years 1858 and 1859, any interest over and above the rate of ten per cent per annum, he or she having so paid the same, shall have the excess of interest over ten per cent per annum so paid by him or her rebated from his or her tax list of 1860, provided he or she

shall show, by a proper receipt or otherwise, that such tax has been paid over and above ten per cent per annum.

Mr. LeLacheur offered the following amendment: That a premium of fifteen per cent be paid to those who have paid their tax for 1858 and 1859. Lost.

Mr. Paulk moved to strike out "otherwise," and insert "by the treasurer's books.

Mr. Bereman moved to lay the bill and amendments on the table, on which Mr. Williams demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Bereman, Barnes, Bracewell, Bemis, Bremner, Caldwell, Clark of Jefferson, Cottell, Crawford, Darling, Davis of Jasper, Gillett, Gue, Gurley, Hoag, Hunt, Lambert, Le Lacheur, Lynch, McQuinn, Mitchell, Moser, Noble, Parker, Price of Muscatine, Reed, Rosenkrans, Robb, Ruddick, Streeter, Tompkins, Withrow, Witter—33.

The nays were—Messrs. Baker, Bowdoin, Bennett, Blackford, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cowing, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Morehead, Paulk, Price of Lee, Rees, Riddle, Stevens, Taylor, Williams, Williamson of Louisa, Williamson of Warren—39.

Absent or not voting—Beal, Curtis, Doggett, Haskell, Macomber, Merrill, Peet, Quinn, Robinson, Sabin, Shipman, Stanton, Whitaker, and Wright.

The motion lost.

Mr. Paulk's amendment was then lost.

Mr. Dennison offered the following amendment: Provided the evidences of such excess of interest be the tax receipt or the books of the Treasurer, and that the amount credited be deducted from the same kind of taxes on which the said excess had been paid. Lost.

The question then recurring upon Mr. Claggett's substitute, Mr. Williams demanded the yeas, which were ordered, and were as follows:

The yeas were—Messrs. Bracewell, Bennett, Bemis, Bremner, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Hall, Haskell, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Lee, McQuinn, Millard, Morehead, Paulk, Peet, Price of Lee, Reed, Riddle, Robb, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, and Mr. Speaker—47.

The nays were—Messrs. Baker, Bereman, Bowdoin, Barnes, Blackford, Caldwell, Davis of Jasper, Goodrell, Gue, Gurley,

Hoag, Hunt, Lambert, Lynch, Mitchell, Moser, Noble, Parker, Price of Muscatine, Rees, Rosenkrans, Ruddick, Williamson of Warren, Withrow, Witter—25.

Absent or not voting—Messrs. Beal, Crawford, Curtis, Macomber, McCullough of Jackson, Merrill, Quinn, Robinson, Sabin, Shipman, Stanton, Whitaker, and Wright.

The substitute was adopted.

Mr. Jennings moved that the house do now adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Baker submitted the following report :

The committee on county and township organization, to whom was referred the petition of certain citizens of Camanche, a portion of which relates to certain bonds of said city, issued to the Camanche, Albany and Mendota Railroad Company, have directed me to report the accompanying bill.

N. B. BAKER, for the Com.

By Mr. Baker : house file number 228, a bill for an act legalizing certain railroad bonds issued by the city of Camanche, was read a first and second time and referred to the committee on judiciary.

The committee on county and township organization, to whom was referred a petition from sundry citizens of Camanche, asking for legislation amendatory of the act of incorporation of said city, so that additional territory should be added thereto, have directed me to report the following resolution :

N. B. BAKER, for Com.

Resolved, That it is inexpedient to legislate on the subject.

Which report was received.

Mr. Baker presented two petitions from citizens of Clinton county, asking for the organization of a new county, which were referred to committee on new counties.

The committee on county and township organization, to whom was referred the petition of citizens of Union and Lick Creek townships, in Van Buren county, praying for an act annulling the action of County Court in relation to an election precinct, and asking for an incorporation of a new township, and the remonstrance of citizens of Lick Creek against the prayer of said petition, report the following resolution :

Resolved, That it is inexpedient to legislate upon the subject.

N. B. BAKER, for the Com.

Which report was received.

The committee on county and township organization, to whom was referred the petition of sundry citizens of Camanche for amendments to their city charter, report the accompanying bill, and ask leave for further consideration of other portions of said petition.

N. B. BAKER, for the Com.

House file number 28, a bill for an act regulating the surveys of land, and to perpetuate decayed corners, was read a second time and laid on the table.

The committee on county and township organization, to whom was referred a resolution directing an inquiry into the expediency of abolishing the offices of county judge and drainage commissioner, and of establishing a Court of Quarter Sessions, composed of Supervisors elected in the several townships, report the following resolution :

Resolved, That it is inexpedient to abolish the office of drainage commissioner.

Resolved, That as bills are under consideration in the house on the various other subjects named in said resolution, it is inexpedient to report other bills at this time.

N. B. BAKER, for Com.

Which report was received.

The committee on county and township organization, to whom was referred a resolution for separating the offices of Treasurer and Recorder of counties, have directed me to report the following resolutions:

N. B. BAKER, for the Com.

Resolved, That the best interests of this State demand, that in all counties having 5000 inhabitants, it shall be illegal for the same person to hold the offices of Treasurer and Recorder.

Resolved, That said resolution, with this report and resolutions, be referred to the select committee on a fee bill with instructions to report a bill in accordance with the above resolution.

Which report was concurred in.

The committee on mileage of members submitted the following report:

The undersigned, members of the joint committee appointed to ascertain the amount of mileage, by the nearest traveled route, due each member of this house, find and report as follows, according to the representation of members themselves to the committee :

	MILES	AM'T.
N. B. Baker.....	440....	\$66.00
T. N. Barnes.....	160....	24.00
O. Beal.....	80....	12.00
M. B. Bennett.....	100....	15.00
A. H. Bereman.....	300....	45.00
J. B. Blackford.....	250....	37.50
Hartley Bracewell.....	400....	60.00
Wm. Bremner.....	180....	19.50

	MILES.	AM'T.
G. W. Bemis.....	400....	64.50
E. G. Bowdoin.....	500....	75.00
Thos. W. Olaggett.....	360....	54.00
H. O. Caldwell.....	300....	45.00
R. F. Conner.....	390....	58.50
Justus Clark.....	350....	52.50
Mathew Clark.....	240....	36.00
Rush Clark.....	280....	42.00
W. W. Cottle.....	260....	39.00
J. Crawford.....	400....	60.00
I. O. Curtis.....	80....	12.00
A. M. Cowing.....	140....	21.00
H. Campbell.....	200....	30.00
Harvey Dunlavey.....	300....	45.00
James Doggett.....	200....	30.00
Washington Darling.....	370....	55.50
Geo T. Davis.....	300....	45.00
C. M. Davis.....	80....	12.00
J. W. Dennison.....	230....	34.50
John Edwards.....	120....	18.00
G. P. Ellis.....	200....	30.00
R. Glasgow.....	260....	39.00
W. H. F. Gurley.....	400....	60.00
B. F. Gue.....	400....	60.00
Chauncey Gillett.....	490....	73.50
F. A. Gniffke.....	480....	72.00
N. G. Hedges.....	360....	54.00
M. Hotchkiss.....	300....	45.00
J. O. Hall.....	350....	52.50
David Hunt.....	180....	27.00
L. O. Haskell.....	160....	24.00
D. M. Harris.....	160....	24.00
Amos Hoag.....	660....	99.00
T. D. Jones.....	80....	12.00
J. D. Jennings.....	480....	72.00
R. D. Kellogg.....	170....	27.00
H. B. Lynch.....	200....	30.00
Leroy Lambert.....	80....	12.00
J. W. LeLacheur.....	490....	73.50
E. S. McCullough.....	360....	54.00
R. A. Morier.....	400....	60.00
J. O. Mitchell.....	200....	30.00
J. L. Millard.....	80....	12.00
K. W. Macomber.....	200....	30.00
M. Morehead.....	220....	33.00
P. B. McCullough.....	480....	72.00
Mr. Merrill.....	600....	90.00

	MILES.	AM'T.
James McQuinn.....	360....	54.00
F. Mangold.....	480 ...	72.00
L. C. Noble.....	600....	90.00
C. J. Price.....	360....	54.00
M. Price.....	340....	51.00
Geo. W. Parker	400....	60.00
S. R. Peet.....	500 ...	75.00
Charles Paulk.....	700....	105.00
James Quinn.....	400....	60.00
M. W. Robinson.....	350....	52.50
S. H. Riddle.....	300....	45.00
Wm. H. Reed.....	480....	73.50
S. B. Rosenkrans.....	200 ...	30.00
Samuel Rees.....	180....	27.00
G. W. Ruddick.....	440....	66.00
Patrick Robb.....	640....	96.00
F. A. Stevens.....	360 ...	54.00
G. C. Shipman.....	340....	51.00
Mahlon Stanton.....	140....	21.00
J. A. Tompkins.....	180....	27.00
M. Whitaker.....	300....	45.00
A. J. Withrow.....	320....	48.00
J. H. Williamson.....	320....	48.00
J. E. Williamson.....	40....	6.00
Ed. Wright.....	300....	45.00
Amos Witter.....	400....	60.00
J. H. Williams.....	480....	72.00
John Taylor.....	400....	60.00
D. D. Sabin.....	650....	97.50
Zimri Streeter.....	400....	60.00
		<hr/>
		\$4,080.50

All of which is respectfully submitted.

GEORGE T. DAVIS,
JOHN D. JENNINGS,
S. B. ROSENKRANS.

The report was adopted.

Mr. Davis, of Johnson, offered the following resolution:

Resolved, That the committee on ways and means be instructed to report a bill immediately, making an appropriation for paying the mileage of the members of the General Assembly.

Which was adopted.

Message from the Senate.

MR. SPEAKER:—I herewith present for your signature, senate file number 74, an act to pay the claim of William McHargue, the

same having passed both branches of the General Assembly and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

By leave, Mr. Robb called up Senate file number 135, a bill for an act entitled an act to authorize the Governor of the State of Iowa, to provide for the protection of citizens thereof, to guard against Indian depredations, and making appropriation therefor; which was read a first and second time, and on motion of Mr. Robb, the rule was suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough, of Lee, McQuinn, Millard, Morehead, Moser, Noble, Parker, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Shipman, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—64.

The nays were—Messrs. Bemis, Hall, Haskall, Lambert, Paulk, Stevens—6.

Absent or not voting—Beal, Barnes, Olaggett, Curtis, Hoag, Hunt, Lynch, Macomber, Mitchell, Merrill, Robinson, Ruddick, Sabin, Stanton, Whitaker, and Wright.

The bill was passed and title agreed to.

Mr. Robb moved that the rule be suspended and the bill reported back to the Senate immediately. Carried.

Mr. Kellogg moved to reconsider the vote upon Mr. Olaggett's substitute. Lost.

Mr. Olaggett moved to suspend the rule and read the bill a third time now.

Mr. Williams moved a call of the house.

Mr. Taylor moved that further proceedings under the call be dispensed with. Carried.

The bill was read a third time, and on the question shall the bill pass, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Bowdoin, Clark of Des Moines, Olaggett, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Hall, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Mangold, McCullough of Lee, Millard, Morehead, Peet, Price of Lee, Riddle, Rosencrans, Stevens, Taylor, Williams, Williamson of Louisa, Withrow—27.

The nays were—Messrs. Baker, Bereman, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford,

Darling, Davis of Jasper, Davis of Johnson, Gillett, Goodrell, Gue, Gurley, Haskell, Harris, Hoag, Hunt, Lambert, LeLacheur, Lynch, McCullough of Jackson, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Robb, Ruddick, Shipman, Streeter, Tompkins, Williamson of Warren, and Mr. Speaker—49.

Absent or not voting—Beal, Curtis, Doggett, Merrill, Robinson, Sabin, Stanton, Whitaker, Witter and Wright.

The bill was lost.

Message from the Senate :

MR. SPEAKER:—I am directed by the Senate to inform the House that the Senate has passed the following resolution, in which the concurrence of the House is asked :

Resolved, (By the Senate, the House concurring,) That the Secretary of War be requested to establish a Military Station in the north-western portion of the State of Iowa, for the protection of the settlers in the north-western part of the State, from a band of Sioux Indians that has for several years past, and the present winter, committed depredations upon the peaceable citizens in that part of the State, and that the Secretary of State be requested to forward this resolution forthwith to the Secretary of War.

J. H. SANDERS, Sec'y of Senate.

The resolution was taken up and concurred in.

Mr. Rosenkrans, by leave, introduced house file number 232, a bill for an act for the relief of Michael Sweeny, E. Dalley, A. S. Leonard and Jacob M. Funk, was taken up and read a first and second time, and referred to the committee on claims.

The unfinished business of the forenoon being senate file number 4, was taken up, and Mr. Clark, of Des Moines, offered the following amendment to section 1 of the bill: Strike out "on all delinquent taxes, which shall be paid into the respective County Treasurers prior to the 4th day of July, A. D. 1860," and insert, "on all delinquent taxes hereafter collected;" upon which, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Bereman, Bennett, Bemis, Campbell, Clark of Jefferson, Clark of Des Moines, Olaggett, Crawford, Doggett, Davis of Jasper, Dunlavey, Glasgow, Gniffke, Hall, Hotchkiss, Jennings, Jones, Kellogg, Lambert, Millard, Mitchell, Morehead, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Rees, Robb, Ruddick, Stevens, Streeter, Taylor, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter—40.

The nays were—Messrs. Bowdoin, Barnes, Bracewell, Caldwell, Clark of Johnson, Conner, Cottell, Cowing, Darling, Davis of Johnson, Dennison, Gillett, Goodrell, Gue, Gurley, Haskell, Harris, Hedges, Hunt, LeLacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Moser, Noble, Reed, Riddle, Rosenkrans, Shipman, Tompkins, and Mr. Speaker—33.

Absent or not voting—Messrs. Beal, Blackford, Bremner, Curtis, Ellis, Hoag, Macomber, Merrill, Robinson, Sabin, Stanton, Whitaker, and Wright.

The amendment was adopted.

Message from the Senate:

MR. SPEAKER:—I herewith present for your signature, senate file number 135, an act to authorize the Governor of the State to provide for the protection of certain citizens thereof, to guard against Indian depredations and making appropriations therefor, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

BILLS ON SECOND READING.

House file number 46, a bill for an act to amend section sixteen of chapter 158 of the laws of the State of Iowa, approved March 23d, 1858, in relation to school funds and school lands, was read a second time, and on motion, was laid on the table.

House file number 145, a bill for an act to repeal part of section one of chapter 152, of the revenue laws of the seventh General Assembly.

House file number 117, a bill for an act to pay a certain reward heretofore offered by the State of Iowa, was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—67.

The nays were—Messrs. Barnes, Bennett, Clark of Jefferson, Claggett, Dunlavey, Jones, Stevens—7.

Absent or not voting—Beal, Bemis, Bremner, Curtis, Merrill, Riddle, Robinson, Sabin, Shipman, Stanton, Whitaker, and Wright.

The bill was passed and title agreed to.

House file number 168, a bill for an act to amend an act in relation to revenue, was read a second time and laid on the table.

House file number 143, a bill for an act for the relief of tax

payers in certain cases, was read a second time and ordered to be engrossed and read a third time to-morrow.

House file number 177, a bill for an act making bills of the specie paying branches of the State Banks of Iowa, a legal tender for county taxes.

Mr. Bennett moved to lay the bill on the table, upon which the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Bereman, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Conner, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Gurley, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Moser, Peet, Price of Lee, Quinn, Reed, Robb, Ruddick, Taylor, Williamson of Warren—43.

The nays were—Messrs. Bowdoin, Barnes, Blackford, Bemis, Bremner, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Davis of Johnson, Glasgow, Hall, Kellogg, LeLacheur, Mangold, Millard, Mitchell, Morehead, Parker, Paulk, Price of Muscatine, Rees, Riddle, Rosencrans, Shipman, Stevens, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter and Mr. Speaker.—34.

Absent or not voting—Beal, Curtis, Merrill, Noble, Robinson, Sabin, Stanton, Whitaker and Wright.

The motion prevailed.

Mr. Cowing presented the petition of citizens of Poweshiek county, asking for the re-enactment of the prohibitory law, &c.: was referred to the select committee on license law.

Mr. Hall presented the petitions from citizens of Des Moines county, praying for amendments in the railroad and incorporation laws, which were referred to the committee on railroads.

Mr. Peet presented the petition of H. B. Carter, and others, praying for the county seat law to remain as it now is, was referred to committee on county and township organization.

Mr. McCullough, of Jackson, presented a remonstrance of Nathan Smith and 220 others, against changing the county boundaries of Jackson township, was referred to committee on county and township organization.

Mr. Cowing, from the committee on engrossed bills, submitted the following report :

The committee on engrossed bills beg leave to report that they have examined the following bills, and have found the same correctly engrossed :

House file number 222, a bill for an act for the encouragement of Teachers' Institutes.

Substitute for house file number 178, a bill for an act to legalize the levy of road tax in Sioux City, for the year 1859.

Substitute for house file number 163, a bill for an act to legalize the manner of administering oaths.

House file number 209, a bill for an act to amend the law in reference to sale of intoxicating liquors.

House file number 122, a bill for an act repealing chapter 10 of the acts of the seventh General Assembly, entitled an act authorizing the Governor to raise arms and equip a company of mounted men for the defense and protection of our frontier, was read a second time and laid on the table.

House file number 199, a bill for an act allowing the people to change the boundaries of counties.

Mr. Baker moved to re-commit the bill to judiciary committee.

House file number 200, a bill for an act in relation to fences, was read a second time, ordered engrossed, and read a third time to-morrow.

House file number 179, a bill for an act repealing chapter 160 of the acts of the seventh General Assembly, was read a second time and laid on the table.

House file number 23, a bill for an act regulating the surveys of lands, and to perpetuate decayed corners, was read a second time and laid on the table.

House file number 224, a bill for an act to amend chapter 137, of the acts of the seventh General Assembly, an act entitled an act for the incorporation of cities and towns, was read a second time and ordered to be laid on the table and printed.

House file number 218, a bill for an act to authorize the appropriation of the proceeds of swamp land sales in certain cases, to the building of bridges, was read a second time and laid on the table.

House file number 170, a bill for an act to provide for the establishment of a commissioner of emigration for the State of Iowa, was read a second time, when Mr. Paulk offered the following amendment:

And be it further enacted, That if said commissaloner shall directly or indirectly take or receive any fee, compensation or reward, except said salary, he shall be deemed guilty of a felony, and shall be punished by imprisonment in the State Prison for not less than one nor more than five years.

Which was adopted. The bill was ordered to be engrossed and read a third time to-morrow.

House file number 73, a bill for an act repealing chapter 151 of the acts of the seventh General Assembly of the State of Iowa, was read a third time, when Mr. Baker moved that the bill be indefinitely postponed.

Mr. Williams moved to adjourn. Lost.

On motion, the bill was laid on the table.

On motion of Mr. Shipman, the house adjourned.

HALL OF REPRESENTATIVES,
Tuesday, March 6th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Peet.

Journal of yesterday read and approved.

By leave, Mr. Caldwell presented the following resolution :

Resolved, That senate file number 126, an act to establish a Code of Civil Practice, be made the special order for Thursday, 8th inst., at 2 o'clock, P. M., and that it remain the special order for each afternoon thereafter, until the same is disposed of.

Which was adopted.

Mr. Caldwell offered the following resolution :

Resolved, That the Code Commissioners are hereby tendered seats on the floor of the House during the time the Code is under consideration, and that they may be heard thereon.

Which was adopted.

BILLS ON THIRD READING.

House file number 178, a bill for an act to legalize the levy of road tax in Sioux City, for the year 1859, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—68.

The nays were—Messrs. Bereman, Clark of Jefferson, Glasgow, Williamson of Louisa—4.

Absent or not voting—Messrs. Beal, Campbell, Crawford, Curtis, Gurley, Jones, McCullough of Lee, Merrill, Moser, Peet, Robinson, Sabin, Stanton and Wright.

The bill passed and the title was agreed to.

Substitute for senate file number 86, a bill for an act prohibiting the officers of counties and other municipal corporations from dealing in the indebtedness of their counties or corporations, was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—73.

The nays were—None.

Absent or not voting—Messrs. Beal, Bemis, Curtis, Davis of Johnson, Goodrell, Jones, McCullough of Lee, Merrill, Peet, Robinson, Sabin, Stanton and Wright.

The bill was passed and the title agreed to.

Senate file number 82, a bill for an act to amend an act entitled an act to authorize the Dubuque & Pacific Railroad Company, and others, to bridge the Mississippi river at Dubuque, was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—72.

The nays were—Messrs. Bereman, Lynch, Riddle—3.

Absent or not voting—Messrs. Beal, Curtis, Goodrell, Jones, McCullough of Lee, Merrill, Peet, Robinson, Sabin, Stanton, Wright.

The bill was passed and the title agreed to.

House file number 31, a bill for an act relating to incest, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Harris, Hedges, Hoag,

Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Shipman, Streeter, Tompkins, Williamson of Louisa, Williamson of Warren, Witter—61.

The nays were—Messrs. Bereman, Bennett, Clark of Jefferson, Clark of Des Moines, Gurley, Hall, Haskell, Lynch, Mangold, Riddle, Stevens, Taylor, Whitaker, Williams, Withrow, and Mr. Speaker—17.

Absent or not voting—Beal, Curtis, Jones, Merrill, Robinson, Sabin, Stanton and Wright.

The bill was passed and the title agreed to.

Senate file number 65, "a bill for an act concerning appeals of causes from the District Court of Jefferson county, Iowa, to the Supreme Court, was read a third time, and laid on the table.

House file number 190, a bill for an act to amend an act entitled an act for the encouragement of agriculture, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bracewell, Bemis, Bremner, Crawford, Darling, Davis of Jasper, Dennison, Glasgow, Gue, Gurley, Hoag, Lambert, Lynch, Macomber, McQuinn, Morehead, Moser, Parker, Price of Muscatine, Quinn, Ruddick, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter—29.

The nays were—Messrs. Baker, Barnes, Bennett, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Doggett, Davis of Johnson, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Kellogg, LeLacheur, Mangold, McCullough of Lee, Millard, Mitchell, Noble, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Rosenkrans, Robb, Shipman, Stevens, Taylor, Whitaker, Williams, and Mr. Speaker—47.

Absent or not voting—Beal, Bowdoin, Curtis, Jones, Merrill, Robinson, Sabin, Stanton, Williamson of Warren, and Wright.

The bill was lost.

Senate file number 10, a bill for an act to amend section 1240 of the Code of Iowa, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Glasgow, Goodrell, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Paulk, Peet,

Price of Lee, Reed, Rosenkrans, Robb, Ruddick, Streeter, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter—60.

The nays were—Messrs. Bereman, Clark of Des Moines, Crawford, Dunlavey, Gue, Gurley, Parker, Price of Muscatine, Quinn, Shipman, Tompkins—11.

Absent or not voting—Beal, Curtis, Gillett, Gniffke, Jones, Kellogg, Merrill, Rees, Riddle, Robinson, Sabin, Stanton, Stevens and Wright.

The bill was passed and the title agreed to.

Senate file number 80, a bill for an act to release to Martin McHugo, the right of the State, by escheat, to a parcel of land in Henry county, Iowa, was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Hoag, Jennings, Kellogg, Lambert, Lynch, Mangold, McCullough of Lee, McQuinn, Millard, Morehead, Moser, Paulk, Peet, Riddle, Rosenkrans, Ruddick, Stevens, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter—48.

The nays were—Messrs. Bennett, Clark of Johnson, Clark of Des Moines, Claggett, Doggett, Dunlavey, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, LeLacheur, Macomber, McCullough of Jackson, Mitchell, Noble, Parker, Price of Muscatine, Quinn, Reed, Rees, Robb, Shipman, Taylor, Whitaker, Williams, Williamson of Warren, and Mr. Speaker—31.

Absent or not voting—Messrs. Beal, Bemis, Caldwell, Campbell, Curtis, Jones, Merrill, Price of Lee, Robinson, Sabin, Stanton and Wright.

The bill was passed and the title agreed to.

House file number 87, a bill for an act to prevent larceny of personal property taken on legal process, was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bowdoin, Bracewell, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gniffke, Gurley, Haskell, Harris, Hoag, Hunt, Lambert, Macomber, McCullough of Jackson, McCullough of Lee, Millard, Moser, Paulk, Peet, Price of Muscatine, Reed, Rees, Rosenkrans, Ruddick, Shipman, Stevens, Streeter, Tompkins, Williams, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—45.

The nays were—Messrs. Baker, Bennett, Blackford, Conner, Crawford, Dunlavey, Ellis, Glasgow, Gue, Hall, Hotchkiss, Jen-

nings, Kellogg, LeLacheur, Mangold, Morehead, Noble, Parker, Quinn, Riddle, Robb, Taylor, Williamson of Louisa—24.

Absent or not voting—Messrs. Beal, Barnes, Bereman, Claggett, Curtis, Goodrell, Hedges, Jones, Lynch, Mitchell, Merrill, Price of Lee, Robinson, Sabin, Stanton, Whitaker and Wright.

The bill was passed, and the title agreed to.

Message from the Senate.

Mr. SPEAKER:—I herewith return house file number 60, a bill for an act to pay Maj. Wm. Williams, and others, for services and supplies in the Spirit Lake expedition, 1857, the same having passed the Senate without amendment.

I am also directed to inform the House that the Senate has passed senate file number 126, an act to establish a Code of Civil Practice at Law and in Equity, in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

Mr. Williams moved a call of the House. Carried.

Mr. Clark, of Des Moines, moved that further proceedings under the call be dispensed with. Carried.

Mr. Williams moved to take up the resolution relative to the closing the doors during a call of the House. Carried.

Mr. Gurley moved to amend by saying, "no member shall be permitted to enter or leave the hall, without leave of the house."

Mr. Kellogg moved to lay the resolution and amendments on the table. Carried.

House file number 163, a bill for an act to regulate the manner of administering oaths, was read a third time; pending which, Mr. Kellogg moved to adjourn. Carried.

2 O'CLOCK, P. M.

The clerk called the House to order, and on motion of Mr. Baker, Mr. Gue was called to the Chair.

By leave, Mr. Baker presented a remonstrance of citizens of Clinton county, against alterations in the boundaries of said county; was referred to the committee on new counties.

By leave, Mr. Peet presented the petition of citizens of Clayton county, for the abolition of the office of county judge; which was referred to the committee on county and township organization.

By leave, Mr. Cowing presented the petition of citizens of Poweshiek county, asking the repeal of the amendments to the prohibitory law, and the enactment of the original prohibitory law of 1855; which was referred to the select committee on license law.

By leave, Mr. Hall presented the petition of citizens of Des Moines county, asking for a law in relation to mechanic's liens, was referred to the committee on judiciary.

Mr. Hall presented house file number 234, a bill for an act to secure a lien to mechanics and others, was referred to committee on judiciary.

REPORTS OF COMMITTEES.

The judiciary committee, to whom was referred house file number 225, entitled a bill for an act to give greater security to venders and mortgagors of real estate, have had the same under consideration, and instruct me to report the same back with the recommendation that the same do pass.

JAMES H. WILLIAMS.

Which report was received.

The committee on the Des Moines River Improvement, to whom was referred house file number 229, an act making provision for the payment of the salary and contingent expenses of the Commissioner of the Des Moines River Improvement, and requiring the K. Ft. D. and M. R. R. Company to pay the amount of said salary and contingent expenses into the State Treasury, have had the same under consideration, and herewith report the same back and recommend its passage.

J. C. MITCHELL, Ch'm.
H. C. CALDWELL,
J. E. WILLIAMSON,
ABRAM TOMPKINS.

Which report was received.

Message from the Senate :

MR. SPEAKER :—I herewith present for your signature, Senate file number 117, joint resolution for additional mail facilities, the same having passed both branches of the General Assembly and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

House file number 235, a joint resolution for additional mail facilities, was read a first and second time and referred to the committee on federal relations.

Mr. Ruddick, by leave, presented the petition of citizens of Bremer county, asking the vacation of a certain road, was referred to the committee on roads and highways.

Message from the Senate.

MR. SPEAKER :—I am directed to inform your honorable body, that the Senate has passed Senate file number 142, a bill for an act extending the time for the completion of 75 miles of road by the Dubuque and Pacific R. R. Company, in which the concurrence of the house is asked.

J. H. SANDERS, Sec'y of Senate.

Mr. McCullough, of Jackson, presented a remonstrance of citizens of Jackson county against any change in the boundaries of

said county, was referred to the committee on county and township organization.

Mr. Baker moved that the committee on new counties be desired to transfer all petitions before them to the committee on county and township organization. Carried.

On motion of Mr. Witter, the papers relating to the Insane Asylum, in the hands of the committee on charitable institutions, and the papers in the hands of the special committee, consisting of Hall, Baker, and Dennison, were transferred to the special committee, consisting of Hall, Bemis and Wright.

Mr. Kellogg moved that the regular order be now taken up. Carried.

The question then being upon the passage of house file number 168, the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosencrans, Ruddick, Shipman, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker—43.

The nays were—Messrs. Baker, Bracewell, Bennett, Blackford, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dennison, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Price of Lee, Reed, Rees, Riddle, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—36.

Absent or not voting—Beal, Curtis, Mangold, Robinson, Sabin, Stanton, and Wright.

The bill was lost for want of a constitutional majority.

Mr. Cowing, from the committee on engrossed bills, submitted the following report :

The committee on engrossed bills beg leave to report that they have examined the following bills, and have found the same correctly engrossed :

House file number 200, a bill for an act to amend chapter fifty-two of the Code, in relation to tences.

House file number 148, a bill for an act for the relief of tax payers in certain cases.

House file number 170, a bill for an act to provide for the establishment of a Commissioner of Emigration for the State of Iowa, in the city of New York.

The following communication was received from His Excellency, the Governor :

EXECUTIVE OFFICE, IOWA, }
March 6, 1860. }

Gentlemen of the House of Representatives :

I return to your house in which it originated, without my approval, a bill entitled "an act to amend section two of chapter one hundred and fifty-five, of the acts passed at the regular session of the seventh General Assembly, approved March 23d, A. D. 1858."

The bill postpones the next session of the Board of Education, until the first Monday of December, A. D. 1865, and in so doing, in my judgment, conflicts with the spirit, if not with the letter of the Constitution.

Under section 4, article 9 of the Constitution, the General Assembly certainly "may fix the time and place of meeting" of the board, but as certainly must exercise that power in a constitutional way. The instrument must be so construed, as, if possible, to give effect to all its parts, and no sound rule of construction will permit an exercise of power under one part of the instrument which will render another part inoperative and void, if by a different and reasonable construction, that result can be avoided.

It is provided in section 3 of the same article, as follows: "After the first election under the Constitution, the board shall be divided, as nearly as practicable, into two equal classes, and the seats of the first class shall be vacated after the expiration of two years, and one half of the board shall be chosen every two years thereafter."

Under this section, the people must, at the election in this year, elect members of the board to fill the seats of the first class vacated under its provisions, and the persons so elected will hold their offices for the term of four years, and yet, if the bill under consideration becomes a law, they will be deprived during their whole term of service of performing the duties which they were chosen by the people to perform. I cannot believe this to be the true intent and meaning of the Constitution.

Section 1 of the same article, provides as follows: "The educational interest of the State, including common schools and other educational institutions, shall be under the management of a Board of Education, &c." The power of the General Assembly over the matters thus entrusted to a Board of Education, is the power to "alter, amend and repeal" what has been done by the board, and the extent to which that power can be exercised by the General Assembly is doubtful and uncertain. It seems to me that in the present condition of our common school system, it is too hazardous to the most important interest of the State, so to legislate, as to render very probable, great confusion and difficulty in its management, either by reason of the want of legislation on the part of the Board of Education which clearly can legislate on

this subject, or by reason of doubts of the power of the General Assembly to do that which necessity may require to be done.

SAMUEL J. KIRKWOOD.

The question then being shall the bill pass, notwithstanding the veto of the Governor, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Barnes, Bracewell, Bennett, Bemis, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Doggett, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gniffke, Gue, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Reed, Rees, Riddle, Rosenkrans, Robb, Stevens, Streeter, Taylor, Whitaker, Williamson of Warren, Witter—47.

The nays were—Messrs. Bereman, Blackford, Bremner, Caldwell, Clark of Johnson, Cowing, Crawford, Darling, Davis of Jasper, Dennison, Gillett, Goodrell, Gurley, Hall, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Mitchell, Merrill, Morehead, Quinn, Ruddick, Shipman, Tompkins, Williams, Williamson of Louisa, Withrow, and Mr. Speaker—32.

Absent or not voting—Beal, Bowdoin, Curtis, Robinson, Sabin, Stanton, and Wright.

The bill was lost.

Mr. Crawford offered the following resolution : *Resolved*, That the committee on Incorporations be directed to provide—if expedient—for proper authority in incorporated towns and cities, to regulate the speed of railroad cars in their streets, and to prevent hindrances and annoyance from cars standing in the same. Which was adopted.

Mr. Bennett moved a reconsideration of the vote by which the bill in regard to the interest on taxes was lost.

Mr. Caldwell moved to lay the motion of Mr. Bennett on the table, upon which the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Bereman, Barnes, Bracewell, Bemis, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Price of Mus., Quinn, Reed, Ruddick, Shipman, Streeter, Tompkins, Witter and Mr. Speaker—41.

The nays were—Messrs. Baker, Bowdoin, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Doggett, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, McCullough of Lee, Millard, Parker, Paulk, Peet, Price of Lee, Rees, Riddle, Rosenkrans,

Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow—38.

Absent or not voting—Messrs. Beal, Blackford, Curtis, Robinson, Sabin, Stanton, and Wright.

The motion prevailed.

House file number 222, a bill for an act for the encouragement of Teachers' Institutes was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Barnes, Bracewell, Blackford, Bemis, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Cowing, Crawford, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rosenkrans, Robb, Ruddick, Shipman, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—60.

The nays were—Messrs. Bennett, Claggett, Cottell, Doggett, Gillett, Lynch, McCullough of Lee, Noble, Price of Lee, Rees, Riddle, Stevens, Taylor, Whitaker—14.

Absent or not voting—Beal, Bereman, Clark of Jefferson, Curtis, Davis of Johnson, Goodrell, Jennings, Robinson, Sabin, Stanton, Williamson of Warren, Wright.

The bill was passed and title agreed to.

House file number 82, a bill for an act fixing the time when laws published in newspapers shall take effect, was read a third time and on motion, indefinitely postponed.

Mr. Williams, by leave, called up senate file number 142, a bill for an act extending the time for the completion of 75 miles of road by the Dubuque and Pacific Railroad company, was read first and second time, and the rules suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bremner, Bemis, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis, of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough, of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—74.

The nays were—Mr. Stevens—1.

Absent or not voting—Beal, Campbell, Curtis, Gillett, Lynch, McCullough of Jackson, Price of Muscatine, Robinson, Sabin, Stanton, and Wright.

The bill was passed and title agreed to.

By leave, Mr. Ellis introduced the following resolution: *Resolved*, That the use of this Hall be tendered to the Hart family to hold a free concert on Friday evening, March 9th, 1860. Which was adopted.

House file number 137, a bill for an act amending chapter 31 of the laws of the 4th General Assembly of the State of Iowa, entitled an act granting to Railroad companies the right of way, was read a third time, and upon the question shall the bill pass, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Des Moines, Cowing, Darling, Davis of Jas., Davis of John., Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Rosencrans, Robb, Rud-dick, Taylor, Tompkins, Williams, Williamson of Louisa, Wil-liamson of Warren, Withrow, Witter and Mr. Speaker—59.

The nays were—Messrs. Blackford, Bemis, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Crawford, Gue, Gurley, Haskell, Stevens, Streeter, Whitaker—14.

Absent or not voting—Beal, Curtis, Doggett, Gillett, Lambert, McCullough of Jackson, Merrill, Price of Muscatine, Robinson, Sabin, Shipman, Stanton, and Wright.

The bill was passed and the title agreed to.

Mr. Caldwell moved to take house file number 175, a bill for an act to repeal an act to provide for the establishment of an Agricultural College and Farm &c., from the table, and pass it on the files, upon which motion the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Cowing, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Gniff-ke, Goodrell, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Le Lacheur, Mangold, McCul-lough of Lee, Mitchell, Merrill, Moser, Paulk, Peet, Price of Lee, Reed, Rees, Robb, Stevens, Whitaker, Williams, Williamson of Louisa—41.

The nays were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Clark of Jefferson, Claggett, Cottell, Crawford, Dennison, Ellis, Gillett, Glasgow, Gue, Gurley, Lynch, Macomber, McQuinn, Millard, Morehead, Noble, Parker, Quinn,

Rosenkrans, Ruddick, Shipman, Streeter, Taylor, Tompkins, Williamson of Warren, Withrow, Witter, and Mr. Speaker—35.

Absent or not voting—Beal, Curtis, Lambert, McCullough of Jackson, Price of Muscatine, Riddle, Robinsen, Sabin, Stanton, and Wright.

Motion lost.

On motion, the rule was suspended, and all bills passed to-day ordered to be sent at once to the Senate.

On motion of Mr. Williams, the house adjourned.

HALL OF REPRESENTATIVES, }
Wednesday, March 7th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Peet.

The Journal of yesterday read and approved.

PETITIONS.

Mr. Baker presented the remonstrance of citizens of Clinton county against the organization of a new county, or a change in the boundaries of Clinton county, which was referred to committee on county and township organization.

Mr. Parker presented the petitions of citizens of Clinton county in relation to the land given to the Lyons Iowa Central Railroad company; which was referred to committee on railroads.

Mr. Williams moved the house go into committee of the whole upon the Supervisor bill. Lost.

The special order was then taken up, being substitute for house file number 113, was read a third time, when the question was, shall the bill pass, pending which,

Mr. Williams moved a call of the house.

Mr. Lambert moved that further proceedings under the call be dispensed with. Carried.

Mr. Williams moved to lay the bill upon the table, upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Barnes, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Olaggett, Conner, Davis of Jasper, Dennison, Dunlavey, Ellis, Hall, Haskell, Harris, Hedges, Hotchkiss, Kellogg, McCullough of Lee, Millard, Mitchell, Morehead, Moser, Price of Lee, Rees, Riddle, Stevens, Taylor, Whitaker, Williams, and Williamson of Warren—33.

The nays were—Messrs. Baker, Bereman, Bowdoin, Blackford, Bemis, Bremner, Clark of Jefferson, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hoag, Hunt, Jennings, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Merrill, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rosenkrans, Robb, Ruddick, Shipman, Streeter, Tompkins, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—48.

Absent or not voting—Messrs. Curtis, Jones, Robinson, Sabin, Stanton.

Motion lost.

Mr. Caldwell from committee on Judiciary submitted the following report :

AMENDMENTS TO THE CODE PROPOSED BY THE JUDICIARY COMMITTEE.

CHAPTER XXIX.

Sec. 813. Strike out in the 3d line, 'and service of a copy thereof,' and insert therefor—'and notice thereof being entered on the notice book.' Strike out in 5th line, 'without service of copy.'

Sec. 820. Strike out 'particularly.'

Sec. 825 (Page 122) Strike out 'without copy or motion,' and insert 'on the notice book.'

Sec. 828. Strike out 'he shall,' and insert 'he may be required to give.'

Sec. 829. Strike out the entire section.

Sec. 831. Strike out the entire section.

Sec. 832. Strike out 'formal'—'for costs'—'in civil cases.'

CHAPTER XXXI.

Sec. 845. Fill the blank with 'five.' Strike out 'also,' in 3d line after 'shall.'

Sec. 848. Insert after 'costs,' 'showing the items.'

CHAPTER XXXII.

Sec. 865. Read 'the,' for 'he,' in the last line on page 127.

CHAPTER XXXV.

Sec. 885. Sub division 3d, correct the word 'judgment.'

Sec. 892. In 2d line, read 'on' instead of 'or.'

Sec. 896. Read 'disturb' for 'distort.'

Sec. 898. Read 'by,' instead of 'for,' in 1st line.

Sec. 902. Add thereto—'unless a good cause for the failure is shown by affidavit.'

Sec. 912. Read in the last line of page 135, 'approved' for 'affirmed.'

Sec. 920. Add thereto—'But the Court must decide each error assigned.'

CHAPTER XXXVI.

Sec. 937. Sub-division 1st, Strike out one 'i,' in particular.

Sec. 944. Strike out all after 'plaintiff.'

CHAPTER XXXVIII.

Sec. 962. Read 'prejudiced,' instead of 'pre-judged.'

Sec. 970. Strike out 'reliable,' and insert 'valuable.'

CHAPTER XLVII.

Sec. 1149. (Page 151) Strike out 'ought,' and insert 'shall.'

CHAPTER LIII.

Sec. 1372. (Page 158) Strike out the entire section.

Sec. 1397. Strike out in last line 'except when served by an officer.'

Sec. 1420. Insert after 'within,' 'or without.'

Sec. 1458. Insert in second line after 'attorney,' ten days, and when served on the party within the county five days,' strike out 'or on the party within the county ten days;' add to this section 'no party shall be required to take deposition, when the Court is in actual session.'

CHAPTER LV.

Sec. 1508. (Page 166) Read 'degrees of affinity and consanguinity.'

Sec. 1511. (Page 167) Strike out the words 'as other petitions.'

CHAPTER LVII.

Sec. 1556. Insert 'shall' for 'may,' and add thereto, 'except as to the provisions of chapter 53.'

Sec. 517. Strike out the entire section.

Sec. 520. Read 'part,' for 'proof.'

Sec. 525. After 1st 'judgment,' insert 'for or.'

Sec. 542. After 1st 'judgment,' insert, 'in a case pending.'

Sec. 551. Strike out 'witness,' and insert 'witnesses.'

- Sec. 559. Strike out 'five,' and insert 'two.'
- Sec. 582. Read 'on,' instead of 'in,' in the first line.
- Sec. 595. After 'assigned,' insert, 'on the record or by a writing filed in the office of the Clerk, and by him minuted as an assignment, on the margin of the judgment docket.'
- Sec. 598. Strike out the ';' after 'trial.'
- Sec. 613. Read 'at' instead of 'to.'
- Sec. 621. After 'decay,' strike out 'he,' and insert 'or when the plaintiff makes affidavit to that effect, the sheriff.'
- Sec. 625. Read 'vendor,' for 'vender.'
- Sec. 643. Add thereto, 'or the like officer of any other court.'
- Sec. 669. After 'way,' in third line, insert 'and.'
- Sec. 681. After 'administer,' insert 'to.'
- Sec. 684. Fill blank with '680.'
- Sec. 685. For 'proceeding,' read 'preceding.'
- Sec. 690. After 'proceeding,' insert 'to.'
- Sec. 692. Strike out all after 'follows,' and insert 'it the sum for which judgment was rendered, inclusive of costs, do not exceed five dollars, one month. If such sum and costs exceed five but not twenty dollars, two months. If such sum and costs exceed twenty but not forty dollars, three months. If such sum and costs exceed forty but not sixty dollars, four months. If such sum and costs exceed sixty but not one hundred dollars, six months. If such sum and costs exceed one hundred but not one hundred and fifty dollars, nine months. If such sum and costs exceed one hundred and fifty dollars, twelve months.'
- Sec. 693. Strike out 'nor shall the same apply to a case of foreclosure of mortgage, nor shall an appeal,' and insert, 'no appeal shall,' and add to said section, 'nor shall such stay be allowed to any judgment obtained by a laboring man for his wages.'
- Sec. 703. Strike out 'not kept for purpose of sale,' and insert it after 'paintings,' also insert 'pictures,' after 'portraits.'
- Sec. 712. Add thereto—'and the hour of commencement of the sale must be fixed in the notice.'
- Sec. 717. Strike out 'are void,' and insert, 'may be set aside on motion made at the same or the next term thereafter.'
- Sec. 661. Read 'judgment' for 'payment.'
- Sec. 786. (Page 113,) read 'of' for 'by,' before 'contempt.'
- Sec. 787. (Page 115,) after action, in 7th line, insert—'as provided for in the foregoing chapter.'
- Sec. 788. (Page 116,) read 'nor' for 'not,' in last line.
- Sec. 216. After 'fixed,' insert 'ten days before the term.'
- Strike out 311, and insert instead—'every pleading must be subscribed by the party or his Attorney; and when any pleading in a case shall be verified by affidavit, all subsequent pleadings, except demurrers, shall be verified also, and in all cases of verification of a pleading, the affidavit shall be to the effect that the affiant believes the statement thereof to be true.'

Sec. 595. Add to this section, 'may be garnisheed. But a municipal or political corporation, shall not be garnisheed.'

Which report was received.

Messages from the Senate:

Mr. SPEAKER:—I am directed by the Senate to inform the house that the Senate has passed Senate file number 139, "joint resolution for additional mail facilities," in which the concurrence of the house is asked.

I also return house file number 219, "an act to legalize the acts of Noah Haskell, a Notary Public in Polk county, Iowa," the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

The question then being upon the passage of the bill, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Blackford, Bemis, Bremner, Cowing, Crawford, Darling, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hoag, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Merrill, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Shipman, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter Wright, and Mr. Speaker—47.

The nays were—Messrs. Beal, Barnes, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Doggett, Davis of Jasper, Dennison, Dunlavy, Ellis, Hall, Haskell, Harris, Hedges, Hotchkiss, McCullough of Lee, Millard, Mitchell, Morehead, Mosser, Price of Lee, Riddle, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—34.

Absent or not voting—Messrs. Curtis, Jones, Robinson, Sabin, Stanton.

The bill was passed and the title agreed to.

Mr. Baker moved a reconsideration of the vote just taken.

Mr. Goodrell moved to lay the motion to reconsider on the table, upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Blackford, Bemis, Bremner, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hoag, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Morehead, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rosencrans, Robb, Ruddick, Shipman, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—49.

The nays were—Messrs. Beal, Barnes, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Davis of Jasper, Dennison, Dunlavy, Ellis,

Hall, Haskall, Harris, Hedges, Hotchkiss, McCallough of Lee, Millard, Morehead, Moser, Price of Lee, Rees, Riddle, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—31.

Absent or not voting—Curtis, Doggett, Jones, Robinson, Sabin, Stanton.

The motion to reconsider was laid on the table.

Mr. Dennison moved to reconsider the vote taken upon the passage of substitute for house file 163.

Mr. Clark, of Des Moines, moved to postpone till 3 o'clock. Carried.

On motion, rule was suspended and the bills passed sent to the Senate.

On motion, the house adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Baker presented the following report :

The committee, on so much of Ex-Governor Lowe's message as reads as follows, have directed me to report the accompanying bill and recommend its passage, from which Messrs. Robb and Lambert dissented :

"CAPITOL BUILDING.—This structure was erected at the expense of the school fund, borrowed by six gentlemen of Des Moines City, for that purpose, for the re-payment of which, with ten per cent interest, they gave mortgages on their individual property.

The amount of money thus obtained from the Superintendent of Public Instruction, with ten per cent interest up to this date, (not paid) is \$52,130. The building cost, including the lots and interest, up to this date, \$53,733.61. The divided public sentiment in regard to the particular site it should occupy, precluded the possibility of building it at the common expense of the town or county. These men are quite unable to supply the State with so large and costly a building for nothing. The State ought not to consent to become a pensioner upon their bounty. It cannot do so without compromising its magnanimity. She ought to own this building; it is convenient, substantially built, and worth the money it cost. The State has been in the occupancy of the building over two years; made important changes and improvements upon the same, inconsistent, perhaps, with the legal rights of the proprietors—and it will now answer the purposes of a State House for years. In view of these facts, it is gravely suggested whether the interest and honor of the State would not be quite as well subserved, by directing the mortgages against these men to be

cancelled, assume the liabilities to the school fund, and pay to them the difference between this fund and the cost of the building."

N. B. BAKER, for the committee.

Mr. Taylor's motion was lost.

By Mr. Baker: house file number 236, an act relating to the Capitol Building, was read a first and second time, and referred to committee on ways and means.

The committee on the judiciary, to whom was referred house file number 135, an act to establish the Court of Quarter Session, to define its jurisdiction, to provide for the election of a Judge of said Court, and to abolish the County Court, have had the same under consideration, and have instructed me to report the accompanying substitute and recommend its passage.

RUDDICK.

On motion, the bill was laid on the table and ordered printed.

The question then being upon the motion of Mr. Dennison to reconsider the vote taken upon house file number 163, Mr. Williams moved a call of the house.

Mr. Withrow moved that further proceedings under the call be dispensed with. Lost.

Mr. Dennison was absent and excused. The Sergeant-at-Arms was ordered to bring in the absentees, which was done.

On motion of Mr. Taylor, further proceedings under the call were dispensed with.

The question then being upon the motion to reconsider, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Shipman, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—45.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Blackford, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Guiffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Pank, Peet, Price of Lee, Reed, Rees, Riddle, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—36.

Absent or not voting—Messrs. Curtis, Jones, Robinson, Sabin, Stanton.

The motion to reconsider prevailed.

Mr. Bennett moved to lay the bill on the table. Lost.

Mr. Baker moved to re-commit to committee on judiciary.

Mr. Goodrell (being in the chair pro tem) decided the motion out of order.

Mr. Claggett appealed from the decision of the chair.

The question being, shall the chair be sustained, and the decision made be the decision of the house, upon which the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Caldwell, Clark of Jefferson, Darling, Davis of Jasper, Davis of Johnson, Gillett, Gue, Haskell, Hoag, Moser, Noble, Parker, Paulk, Quinn, Rosenkrans, Ruddick, Streeter, Tompkins—18.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Hall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Peet, Reed, Rees, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Wright—53.

Absent or not voting—Bremner, Curtis, Goodrell, Gurley, Jones, Lynch, Mangold, Price of Lee, Price of Muscatine, Riddle, Robinson, Sabin, Shipman, Stanton, and Witter.

The decision of the chair was not sustained.

Mr. Baker again moved to re-commit the bill, upon which the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robb, Streeter, Taylor, Whitaker, Williams, Williamson of Warren—33.

The nays were—Messrs. Bereman, Bowdoin, Barnes, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright—43.

Absent or not voting—Messrs. Blackford, Curtis, Jones, Kellogg, Peet, Price of Lee, Sabin, Robinson, Stanton, and Mr. Speaker. The motion was lost.

Message from the Senate :

MR. SPEAKER:—I herewith present for your signature, senate file 142, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

The question then being upon the passage of the bill under consideration, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Shipman, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—44.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Blackford, Bemis, Campbell, Clark of Des Moines, Claggett, Conner, Doggett, Dennison, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Reed, Rees, Riddle, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—36.

Absent or not voting—Messrs. Curtie, Jones, Price of Lee, Robinson, Sabin, Stanton.

The bill passed.

Mr. Baker moved to amend the title of the bill as follows: A bill to provide for an inquisition into the religious belief of witnesses and others.

Mr. Bennett moved to amend the amendment by making the title of the bill, an act for the purpose of reviving Know-Nothingism under the color of Republicanism. Lost.

Mr. Baker's amendment was lost.

The original title of the bill was then agreed to.

Mr. McCullough, of Lee, asked leave of absence for Mr. Price of Lee, for a few days, which was granted.

House file number 200, a bill for an act to amend chapter 52 of the Code, in relation to fences, was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bereman, Bowdoin, Barnes, Bracewell, Bremner, Clark of Johnson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Hall, Haskall, Hoag, Hunt, Jennings, Lambert, LeLacheur, Lynch, Mangold, McQuinn, Millard, Mitchell, Morehead, Noble, Parker, Peet, Price of Muscatine, Quinn, Ruddick, Shipman, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—51.

The nays were—Messrs. Baker, Bennett, Blackford, Bemis, Caldwell, Campbell, Clark of Jefferson, Claggett, Dunlavey, Ellis, Gniffke, Gurley, Harris, Hedges, Hotchkiss, Kellogg, Macomber, McCullough of Jackson, McCullough of Lee, Merrill, Paulk, Reed, Rees, Riddle, Rosenkrans, Robb, Whitaker, Williamson of Warren—27.

Absent or not voting—Messrs. Curtis, Jones, Moser, Price of Lee, Robinson, Sabin, and Stanton.

The bill passed and the title was agreed to.

Mr. Millard asked leave of absence. Granted.

On motion of Mr. Kellogg, the house adjourned.

HALL OF REPRESENTATIVES, }
Thursday, March 8th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Teeter.

Journal of yesterday read and approved.

BILLS ON THIRD READING.

House file number 170, being a bill for an act to provide for the establishment of a Commissioner in the city of New York, to promote immigration to the State of Iowa, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Blackford, Bremner, Campbell, Claggett, Conner, Cottell, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Merrill, Noble, Parker, Paulk, Peet, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—54.

The nays were—Messrs. Bennett, Bemis, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Cowing, Doggett, Goodrell, Gue, Gurley, Hall, Haskell, Lynch, Macomber, Mitchell, Morehead, Moser, Riddle, Shipman, Williamson of Louisiana, and Wright—22.

Absent or not voting—Bereman, Curtis, Lambert, Millard, Price of Lee, Price of Muscatine, Robinson, Sabin, Stanton, Whitaker.

The bill was passed, and the title agreed to.

House file number 143, a bill for an act for the relief of tax payers in certain cases, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Bracewell, Bennett,

Blackford, Bemis, Bremner, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Lynch, Macomber, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Rosenkrans, Robb, Shipman, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—63.

The nays were—Messrs. Beal, Bereman, Barnes, Doggett, McCullough of Jackson, Reed, Ruddick, Whitaker—8.

Absent or not voting—Messrs. Caldwell, Clark of Johnson, Curtis, Gniffke, Gue, Jennings, Kellogg, Mangold, Millard, Merrill, Price of Lee, Riddle, Robinson, Sabin and Stanton.

The bill was passed and the title agreed to.

Messages from the Senate, by Mr. Sanders, their Secretary :

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 100, a bill for an act to regulate the foreclosure of mortgages.

Also, senate file number 15, an act fixing the times of holding courts in the tenth judicial district.

Also, senate file number 107, a bill for an act to legalize the organization of Hartland township, in Worth county.

Also, senate file number 116, a bill for an act to submit to arbitration the claims and defences of the State of Iowa and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads; in all of which the concurrence of the House is asked.

I also return house file number 35, an act to provide for the redemption of real estate sold on foreclosure of mortgages, the Senate having passed the same with an amendment, in which the concurrence of the House is asked.

I herewith present for your signature senate file number 86, an act prohibiting the officers of counties and other municipal corporations, from dealing in the indebtedness of their counties or corporations.

Also, senate file number 82, an act to amend an act entitled an act to authorize the Dubuque & Pacific Railroad Co., and others, to bridge the Mississippi river at Dubuque; the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

I also herewith return senate file number 50, a bill for an act concerning apprentices, the senate having refused to concur in the amendments of the House thereto.

J. H. SANDERS, Sec'y of Senate.

House file number 209, a bill for an act to amend the law in reference to sale of intoxicating liquors, was read a third time, and

Mr. Bowdoin moved to postpone till August 1st, 1860; pending which, Mr. Edwards moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, senate file 116 was taken up, and referred to select committee on the Eads matters, of which Mr. Hall is chairman.

Mr. Jennings, by leave, introduced the following resolution:

WHEREAS, Much complaint exists at this time, and for a long time past has existed in this State, because of the defective laws for the adequate protection of the laboring classes, and especially that class of laborers who are employed by hundreds to grade and construct our railroads, and who may be discharged from employment after weeks and months of faithful toil, without receiving one dollar of wages, and without any effective redress at law; and

WHEREAS, A petition is now in circulation in this State, of which the following is a true copy, viz:

To the Honorable, the General Assembly

of the State of Iowa:

The petition of the undersigned, citizens and residents of the State of Iowa, respectfully sheweth:

That there is a grievous defect in the laws of this State, for the security of the wages of laborers and sub-contractors upon the several lines of railroad now in progress and in contemplation.

That very often, in consequence of this defect in the laws, hundreds of laborers who do the grading, ditching and heavy work, are defrauded, and liable to be defrauded, out of their hard-earned wages, and their families are often made to suffer for want of the common necessities of life.

We therefore pray your honorable body to enact a law by which any and every sub-contractor, and especially every common laborer employed in grading, constructing or building a railroad, shall have an exclusive and prior lien upon the work done for the amount of his wages, until paid, and said work shall be the property of such laborer until his wages are paid. And we further pray you to add such other provisions as you in your wisdom shall deem proper and necessary to secure said laborers against the frauds of all persons whomsoever. And your petitioners will ever pray, &c. Therefore, be it

Resolved, That the judiciary committee be and hereby are instructed to report a bill at an early day, which shall provide for the remedies sought after in the foregoing petition.

Which was adopted.

The question then being upon the motion of postponing the bill,

—house file number 209—till the 1st August, 1860, Mr. Williamson, of Louisa, moved a call of the House; pending which, Mr. Shipman moved that further proceedings under the call be dispensed with. Lost.

The Sergeant-at-Arms was ordered to bring in the absentees, Messrs. Noble, Jones, Kellogg, and Claggett, who were brought in and excused, when Mr. Cowing moved that further proceedings under the call be suspended. Carried.

The question being upon the postponement of the bill, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Barnes, Blackford, Clark of Johnson, Dennison, Gniffke, Goodrell, Gue, Gurley, Hoag, Mangold, Moser, Parker, Quinn, Wright—16.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Bemis, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Paulk, Peet, Price of Muscatine, Reed, Rees, Riddle, Rosencrans, Robb, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—62.

Absent or not voting—Curtis, Millard, Noble, Price of Lee, Robinson, Ruddick, Sabin and Stanton.

The motion was lost.

Mr. Bowdoin moved that the bill be re committed to a select committee of three, with instructions to strike out all prohibiting the sale of cider, wine and beer, made from the produce of and manufactured within the State, and to provide that before any person shall engage in such traffic, he shall first enter into sufficient security not to mix any spirituous liquors with any such cider, wine or beer, nor to sell or give away about such premises, any spirituous liquors, and that inspectors be provided to inspect all such premises, at the cost of the owners of the same. Also, to provide that any one found guilty in violation of this law in selling spirituous liquors, shall be deemed guilty of a felony, and punished accordingly; upon the adoption of which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bereman, Bowdoin, Barnes, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Darling, Davis of Jasper, Davis of Johnson, Gillett, Gue, Gurley, Hoag, Macomber, Mangold, Mitchell, Moser, Parker, Quinn, Rosenkrans, Shipman, Wright, and Mr. Speaker—25.

The nays were—Messrs. Baker, Bracewell, Bennett, Blackford, Bemis, Bremner, Campbell, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Doggett, Dennison, Dunlavey, Ellis, Glas-

gow, Gniffke, Goodrell, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, McCullough of Jackson, McCullough of Lee, McQuinn, Merrill, Morehead, Paulk, Peet, Price of Muscatine, Reed, Rees, Riddle, Robb, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter—53.

Absent or not voting—Messrs. Curtis, Millard, Noble, Price of Lee, Robinson, Ruddick, Sabin and Stanton.

The motion was lost.

The question then being, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bracewell, Bennett, Bemis, Bremner, Campbell, Claggett, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Lynch, McCullough of Jackson, McCullough of Lee, McQuinn, Morehead, Paulk, Price of Muscatine, Reed, Rees, Riddle, Rosenkrans, Shipman, Stevens, Streeter, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter—44.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Barnes, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Davis of Johnson, Dennison, Gniffke, Goodrell, Gue, Gurley, Hall, Hoag, Jennings, Macomber, Mangold, Mitchell, Merrill, Moser, Noble, Parker, Peet, Quinn, Robb, Taylor, Williams, Wright and Mr. Speaker—35.

Absent or not voting—Messrs. Curtis, Millard, Price of Lee, Robinson, Ruddick, Sabin and Stanton.

The bill was passed, and the title agreed to.

Mr. Hall, by leave, presented house file number 237, a bill to remit taxes assessed to P. C. Tiffany, on property destroyed by fire; which was read first and second time, and referred to committee on judiciary.

Mr. Hall, by leave, presented house file 238, a bill for an act for the incorporation and government of the Hospital for the Insane; was read first and second time, and laid on the table and ordered printed.

The House then went into committee of the whole upon Senate file 126, the Code of Civil Practice; Mr. Robb in the Chair. The committee arose, reported progress, and asked leave to sit again; which report was concurred in.

On motion of Mr. Baker, the House adjourned.

HALL OF REPRESENTATIVES, }
Friday, March 9, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Teeter.

The Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Baker presented four remonstrances from citizens of Clinton county, against a division of said county, which were referred to committee on county and township organization.

Mr. Tompkins presented a petition from citizens of Tama county asking an act legalizing the action of the sub-district of Columbia township in said county, &c., was referred to committee on schools and State university.

Mr. Clark of Des Moines presented the petition of citizens of Des Moines county, asking for the passage of railroad freight and passenger tariffs, was referred to committee on railroads.

Mr. Witter presented the petition of citizens of Clinton county, asking for the organization of a new county, was referred to committee on new counties.

Mr. Parker presented the petitions of citizens of Clinton county, praying that no disposition of the land grant formerly given to the Iowa Central Air Line Company be made, which will not furnish a railroad from Lyons city to the interior of the State, which were referred to the committee on railroads.

Mr. Harris presented a petition for the passage of the following bill for the protection of hotel keepers &c.

By Mr. Harris, house file number 239, a bill for an act to allow hotel and boarding house keepers certain liens, which was read a first and second time and referred to the committee on Judiciary.

Mr. Tompkins presented the following concurrent resolution:

WHEREAS, On or about the 6th of January last, two persons named Bunker, then in the custody of certain persons residents of Polk county, named respectively, Lemuel Small and L. H. Seaman, were found suspended by the neck to a tree, and dead in a certain grove near Buckingham, in the county of Tama; and,

WHEREAS, upon an inquest duly held by the Coroner of said Tama county, upon the bodies of said Bunkers, it was found by the jury that said Bunkers came to their death at the hands and by the means of the said Lemuel Small and L. H. Seaman; and

WHEREAS, upon a warrant issued by the said coroner of Tama county, and placed in the hands of the sheriff of said Tama county the said Lemuel Small and L. H. Seaman were duly arrested, and

WHEREAS, the said Lemuel Small and L. H. Seaman being in the custody of the sheriff of Polk county, by virtue of a writ of

habeas corpus, issued out of the Supreme Court of this State, escaped therefrom, and have not since been apprehended, therefore, be it

Resolved, (the senate concurring,) That the Governor of this State be, and he is hereby directed to offer such reward for the arrest and conviction of said Lemuel Small and L. H. Seaman, as he may in his judgment think proper.

Mr. Goodrell moved to refer to committee on Judiciary.

Mr. Beal moved to indefinitely postpone. Which was carried.

Mr. Williams introduced the following resolution: *Resolved*, That the committee on Agriculture be instructed to enquire into the expediency of introducing a bill for the purpose of restraining horses, cattle, swine and other domestic animals from running at large on the prairies, and requiring the owners of such stock to keep the same within some enclosure. Which was adopted.

By Mr. Kellogg, house file number 240, a joint resolution, asking for mail facilities, was read a first and second time, and

Mr. Bennett moved to suspend the rule and adopt the resolution. Lost.

Mr. Merrill moved to indefinitely postpone. Lost.

The resolution was then referred to the committee on federal relations.

By Mr. Baker, house file number 241, a joint resolution asking for additional mail facilities, was read a first and second time and referred to committee on federal relations.

Mr. Peet presented the following resolution: *Resolved*, That the committee on public lands be instructed to enquire into the expediency of graduating the prices of certain swamp lands and to report by bill or otherwise, which was referred to committee on public lands.

Message from the Senate:

MR. SPEAKER:—I herewith return house file number 106, a bill for an act to amend section 940 of the code, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y Senate.

REPORTS OF COMMITTEES.

Mr. Dennison, from the committee on enrolled bills, submitted the following report: The committee on enrolled bills ask leave to report that they have examined the following bills and find them correctly enrolled:

Substitute for house file number 6, a bill for an act to repeal an act entitled an act to authorize Paul C. Jeffries to transcribe and index certain records in Wapello county.

House file number 60, a bill for an act to pay Major William Williams and others, for service and supplies of Spirit Lake Expedition, 1857.

House file number 219, an act to legalize the acts of Noah D. Haskall, a Notary Public in Polk county, Iowa.

J. W. DENNISON,
J. E. WILLIAMSON.

By Mr. Ruddick, house file number 241, a joint resolution for additional mail facilities from Cedar Falls in Blackhawk county to St. Charles in Floyd county, was read first and second time, and referred to committee on federal relations.

Mr. Mangold presented the following resolution :

Resolved, That the judiciary committee be instructed to enquire into the expediency of having kept in each county of this State, a register of the births, deaths, and marriages, and report the same by bill or otherwise.

Which was adopted.

On motion of Mr. Rosenkrans, house file number 232 was made the special order for Monday next.

On motion, house file number 171 was taken from the table and placed on the files.

REPORTS OF COMMITTEES.

The committee on county and township organization, to whom was referred house file number 196, entitled an act to amend section 4, in chapter 46, of the acts of the Fifth General Assembly, have directed me to report the same back to the House, and recommend its passage.

H. B. LYNCH.

The committee on county and township organization, to whom was referred house file number 118, a bill in relation to a levee on Muscatine Island, have directed me to report it back to the House, and recommend that it be referred to the delegation from Muscatine and Louisa counties.

The committee on county and township organization, to whom was referred house file number 172, an act to amend section 417 of the Code, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do not pass.

The committee on county and township organization, to whom was referred a petition of citizens of Taylor county, asking the creation of a Court of Common Pleas with probate jurisdiction, have instructed me to report the same back, and ask that it be referred to the judiciary committee.

The committee on county and township organization, to whom was referred house file number 184, a bill limiting the issuing of county warrants, have had the same under consideration, and have directed me to report it back to the House, with the recommendation that it do not pass; which reports were received.

Mr. Rosenkrans presented the following report: The committee on public buildings, to whom was referred the report inquiring

into the safety from destruction by fire of the books, papers and records in this building, with instructions to report a bill, beg leave to present the accompanying bill.

S. B. ROSENKRANS, Ch'm com.

By Mr. Rosenkrans: house file number 253, "a bill for an act providing greater safety for books, papers and records belonging to the State; was read first and second time.

The committee on new counties have instructed me to report senate file number 120 back to the House, and recommend that it do pass.

SHIPMAN.

Which report was received.

The committee on internal improvements, to whom was referred that portion of the Governor's Message which refers to the Geological Survey of this State, have instructed me to report, that the "hardness of the times" do not justify a further appropriation in that direction.

S. MERRILL,

For the Committee.

Mr. Claggett moved to re commit the report, with instructions that the State Geologist, in all cases, in making any further reports, be and he is hereby required to discard, as far as possible, the use of all technical terms and phrases, and that he be urged to use, as far as possible, plain English, such as may be understood by the ordinary reader, who has not been professionally educated in the particular science.

Mr. Bowdoin moved to amend by moving to re-commit to committee on ways and means.

Mr. Stanton moved the previous question.

Mr. Bennett moved a call of the house, which, on motion, was dispensed with.

The question being, shall the previous question be sustained? Carried.

Question, shall the main question be put. Carried.

The main question being put, was carried.

Mr. Paulk moved to reconsider the vote taken.

Mr. Bennett moved to lay the motion to reconsider on the table, upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Barnes, Bemis, Bereman, Bracewell, Bennett, Bremner, Clark of Jefferson, Claggett, Conner, Cottell, Doggett, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Haskell, Harris, Hedges, Hoag, Hotchkiss, Jones, Kellogg, Lynch, Macomber, McCullough of Lee, McQuinn, Merrill, Morehead, Noble, Parker, Price of Muscatine, Reed, Rees, Rosencrans, Stanton, Stevens, Whitaker, Williamson of Louisa, Witter—41.

The nays were—Messrs. Baker, Bowdoin, Blackford, Caldwell, Clark of Johnson, Clark of Des Moines, Cowing, Crawford, Darling, Davis of Johnson, Dennison, Gniffke, Gue, Gurley, Hall, Hunt, Jennings, Lambert, LeLacheur, Mangold, McCullough of

Jackson, Mitchell, Moser, Paulk, Peet, Quinn, Riddle, Robb, Ruddick, Shipman, Taylor, Tompkins, Williams, Withrow, Wright—35.

Absent or not voting—Campbell, Curtis, Davis of Jasper, Millard, Price of Lee, Robinson, Sabin, Streeter, Williamson of Warren, and Mr. Speaker.

The motion to reconsider was laid on the table.

Mr. Ruddick requested leave to record his vote upon the passage of house file 209; Mr. Witter being in the chair, pro tem, decided that he could do so by a vote of the majority of the members of the house; from which decision, Mr. Gue took an appeal, and upon the question, shall the chair be sustained and the decision of the chair be the decision of the house, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bennett, Claggett, Conner, Doggett, Dunlavy, Ellis, Glasgow, Hall, Harris, Hedges, Hotchkiss, Jones, LeLacheur, McCullough of Lee, Reed, Ruddick, Stevens, Williams, Williamson of Louisa, Withrow—21.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Johnson, Dennison, Gillett, Gniffke, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Kellogg, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Riddle, Rosenkrans, Robb, Shipman, Stanton, Taylor, Tompkins, Whitaker, Wright, Mr. Speaker—54.

Absent or not voting—Campbell, Clark of Des Moines, Curtis, Davis of Jasper, Millard, Price of Lee, Robinson, Sabin, Streeter, Williamson of Warren, and Witter.

The chair was not sustained.

Mr. Kellogg asked to be excused this afternoon. Granted.

On motion of Mr. Jennings the house adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

BILLS INTRODUCED.

By Mr. Tompkins: house file number 243, a bill for an act to legalize the acts of the sub-district and township district of Columbia township, Iowa county, Iowa, was read a first and second time, and referred to committee on schools and State University.

By Mr. Bemis: house file number 244, an act authorizing the collection of taxes, voted by sub-districts, was read a first and

second time, and referred to committee on schools and State University.

By Mr. Hall: house file number 246, a bill for an act, requiring agents of this State to settle claims against the State by arbitration, was read a first and second time, and referred to committee on judiciary.

By leave, Mr. Gurley presented petitions from citizens of Scott county, asking a change in jurors fees, &c., was referred to committee on judiciary.

By leave, Mr. Gurley presented petitions from citizens of Scott county, praying that Railroad Companies keep their offices and officers in the State, &c. &c., was referred to committee on railroads.

By leave, Mr. Gurley presented the petition of citizens of Scott county, praying the State to purchase the Law Library of James Grant, Esq., Davenport, was referred to a select committee.

By Mr. Gurley: house file number 247, a bill for an act to amend chapter forty-six of the laws passed at the fifth General Assembly, was read a first and second time, and together with the foregoing petition, was referred to a select committee, consisting of Messrs. Gurley, Harris, and McCullough of Jackson.

By Mr. Olaggett: house file number 248, a bill for an act to amend section 1983 of chapter 114 of the Code of Iowa, was read a first and second time and referred to committee on judiciary.

By Mr. Haskell: house file number 249, a bill for an act authorising constables to have their bonds approved by the township trustees, and file the same with the clerk of their respective townships, which was read a first and second time and referred to committee on county and township organization.

By Mr. Reed: house file number 250, a bill for an act conferring certain powers upon the Drainage Commissioners of Jackson county, was read a first and second time, and referred to committee on judiciary.

By Mr. Harris: house file number 251, a bill for an act regulating the fees of Notary's Public, was read a first and second time and referred to the special committee on fee bill.

REPORTS.

The undersigned, majority of a select committee, to whom was referred the memorial of James P. Brown, recommended to the favorable consideration of the legislature by J. B. Young and seventy-five other citizens of Linn county, Iowa, asking for an extension of time as to James P. Brown, surety of Alphens Brown, late School Fund Commissioner of Linn county, have had the same under consideration, and beg leave to report that the petition of James P. Brown, surety of Alphens Brown, late School Fund Commissioner of Linn county, sets forth that in the month

of July, 1857, by an examination made by Hosea W. Gray, an agent acting under authority of the Governor of Iowa, a deficit was found to exist in the accounts of the said School Fund Commissioner, amounting to \$2,000; that for the purpose of securing the school fund from any loss by reason of such deficit, an arrangement was entered into whereby four several notes, in the sum of \$500 each, under date of July 25th, 1857, due in five years from date, with interest at ten per cent, payable on the first day of January, annually, were executed by the said James P. Brown as principal or security. Said petition is duly sworn to before the county judge of Linn county.

Your committee further find that the said promissory notes for \$2,000, executed by the said James P. Brown, are secured by mortgage on real estate of value much more than sufficient in ordinary times to pay said notes, with the interest thereon. But owing to the financial embarrassments of the country, said lands, if forced to sale, would not probably sell for sufficient amount to pay said notes.

The petitioners ask that the time for the payment of his liability on said notes be extended for two years.

We recommend that the prayer of the petitioners be granted, for which purpose we submit a bill and recommend its passage.

JENNINGS CRAWFORD,
L. O. HASKALL.

By Mr. Jennings: house file number 252, a bill for an act for the relief of James P. Brown, and others, was read a first and second time, and placed on file.

Mr. Bennett, from the minority of select committee on memorial of James P. Brown, reported as follows:

The undersigned, one of the select committee to whom was referred the memorial of James P. Brown, recommended to the favorable consideration of the legislature by J. B. Young and 75 other citizens of Linn county, Iowa, asking for an extension of time as to James P. Brown, surety of Alpheus Brown, late School Fund Commissioner of Linn county, have had the same under consideration, and beg leave to report, that the petition of James P. Brown, surety of Alpheus Brown, late School Fund Commissioner of Linn county, states:

*" To the Senate and House of Representatives
of the State of Iowa :*

" Your petitioner represents, that in the month of July, in the year 1857, an examination was made of the papers, records, and vouchers of Alpheus Brown, at that time, and for a number of years previous, the School Fund Commissioner of Linn county, in said State of Iowa; that this investigation was conducted by Hosea W. Gray, a citizen of Linn county, an agent appointed by

Governor Grimes, for the purpose of making an examination of the official affairs of said School Fund Commissioner of Linn county, as well as of other counties.

"Said proceedings being had in pursuance of an act of the legislature of said State of Iowa, that upon a thorough examination made by said agent, it was ascertained that a deficit existed in the accounts of said School Fund Commissioner of Linn county.

"Your petitioner further represents that he was one of the securities on the official bond of said Alpheus Brown, School Fund Commissioner, as aforesaid, and that for the express purpose of securing the School Fund from any loss by reason of such deficit, an arrangement was entered into whereby four several notes, in the sum of \$500 each, under date of July 25th, 1857, due in five years from date, with interest at 10 per cent, payable on the 1st day of January, annually, were executed, &c."

Said petition is duly sworn to before the county judge of Linn county. The undersigned further finds by reference to and examination of the report of Hosea W. Gray, the agent appointed by James W. Grimes, while Governor of the State, which report was made out and certified to in due form, as far as he is able to judge, to the Governor on the 25th day of July, A. D. 1857, that said Hosea W. Gray does not report to the Governor any deficit whatever in the School Fund of Linn county, but says on page 9, of his official report, that the county of Linn had had but one School Fund Commissioner, the present incumbent, Hon. Alpheus Brown. He was elected in the year 1848, and has been four times re-elected to the same station. His books, papers, and vouchers, I have generally found kept in a very neat and methodical style.

The following recapitulation, in the form of an account stated, will show the state of his office at the present time:

ALPHEUS BROWN, School Fund Commissioner of Linn county, to		
the State of Iowa,		DR.
To amount of sales of School Lands and five per cent fund		
brought forward from page four.....		\$41,956.05
ALPHEUS BROWN, School Fund Commissioner,		CR.
By amount due on sales of School Lands.....		\$12,677.01
"	" of cash loans outstanding at date.....	27,700.00
"	" of temporary loans outstanding at date....	914.62
"	" expended of permanent fund heretofore, for	
	which see table on 10th page.....	539.90
"	" of cash on hand.....	124.52
		<hr/>
		\$41,956.05

It will be seen by the above extract from Mr. Gray's report, that he reported that there was no defalcation at the time he examined the papers, books and vouchers of Alpheus Brown. The said petition of James P. Brown expressly says: That upon a thorough examination made by said agent, it was ascertained

that a deficit existed in the accounts of said School Fund Commissioner of Linn county.

Attached to the petition of James P. Brown, is the following statement:

I, Hosea W. Gray, the person named in the foregoing petition as the agent upon the part of the State for the settlement of the accounts of the School Fund Commissioner within named, do certify that I have examined the foregoing, and that so far as my personal knowledge extends, I believe the facts therein stated, to be entirely true.

HOSEA W. GRAY.

Marion, January 5, 1860.

The undersigned is of the opinion that said Hosea W. Gray made the examination of the accounts of said school fund commissioner within the eight days immediately preceding the 25th day of July, 1857, as he has charged for eight days service in his said report to the Governor, and that a deficit existed in the accounts of said school fund commissioner at the time of said examination, of the sum of \$2,000, for which notes were executed by said James P. Brown, as appears by the statement of said Brown in his petition, which is certified to by said Gray, to be entirely true; and that said deficit was known to said Gray at the time he made said examination and report to the Governor.

The undersigned cannot believe that an approaching important State election could have influenced said Gray to suppress the facts of the defalcation of a political friend, in view of the influence it might have upon the approaching election, consequently he is unable to perceive any other reason for the report of said Gray, in view of the facts within his knowledge.

The undersigned is of the opinion that said Hosea W. Gray has been guilty at least of gross negligence and bad faith, and is justly censurable in withholding the truth and not reporting the facts of the case to the Governor, and that the State ought not to pay for such services.

What the condition of the school fund of other counties in which Mr. Gray has examined, the undersigned, of course, does not know; but if his reports upon their examination are as unreliable as the one under consideration, they are of no possible benefit to the State, but merely serve to deceive and mislead the authorities of the State in relation to the condition of the school fund.

The undersigned does not deem it proper to recommend any course of action in relation to the course of said Gray, but think the honor and credit of the State and all parties concerned, demand a thorough examination of the subject.

The undersigned further finds that the said promissory notes for \$2,000, executed by the said James P. Brown, for the deficit in the account of said school fund commissioner, are secured by real estate of sufficient value in ordinary times to pay said notes, with interest thereon; but owing to the present financial embar-

raiment of the country, said land, if disposed of at a forced sale, would not sell for sufficient amount to pay said notes.

He therefore recommends that the prayer of said petition be granted, and recommends the passage of the bill reported by the majority. M. B. BENNETT.

The majority report, together with this, were, on motion, laid on the table.

By leave, Mr. Bereman called up from the table, Senate file number 50, a bill for an act concerning apprentices, and Mr. Bereman moved to recede from the amendment made in the house. Lost.

Mr. Bennett moved to lay the bill on the table. Carried.

The house then went into committee of the whole, Mr. Robbin in the chair, to consider the Code of civil practice.

The committee rose, reported progress, and asked leave to sit again, which report was concurred in.

Mr. Rosenkrans moved to reconsider the vote on house file number 209, pending which, Mr. Bennett moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Saturday, March 10, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Teeter.

The Journal of yesterday read and approved.

Mr. Bowdoin moved to take up senate file number 15, a bill for an act fixing the times of holding courts in the tenth judicial district. Carried.

The bill was read a first and second time, and referred to the delegation from the tenth judicial district.

Mr. Streeter, by leave, presented the petition of citizens of Black Hawk county, asking the appointment of Peter Melendy as a trustee of the State Agricultural College; was referred to the committee on agriculture.

The question then being upon the motion to reconsider the vote upon house file number 209, Mr. Bennett moved a call of the house; pending which Mr. Kellogg moved that further proceedings under the call be dispensed with. Carried.

Mr. Lambert moved to lay the motion to reconsider on the table, upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bracewell, Bennett, Bremner, Campbell, Clark of Des Moines, Olaggett, Conner, Crawford, Dog-

gett, Dunlavey, Ellis, Glasgow, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, McCullough of Jackson, McCullough of Lee, McQuinn, Morehead, Paulk, Price of Muscatine, Reed, Rees, Riddle, Ruddick, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow—42.

The nays were—Messrs. Baker, Bereman, Bowdoin, Barnes, Blackford, Bemis, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Darling, Davis of Johnson, Dennison, Gillett, Gniffke, Goodrell, Gue, Gurley, Hoag, Macomber, Mangold, Mitchell, Merrill, Moser, Noble, Parker, Peet, Quinn, Rosenkrans, Robb, Shipman, Williams, Witter, Wright, and Mr. Speaker—36.

Absent or not voting—Curtis, Davis of Jasper, Lynch, Millard, Price of Lee, Robinson, Sabin, and Stevens.

Motion to lay on table prevailed.

Message from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 93, an act to legalize the acts of David O. Sperry, of Fayette county, Iowa, as Notary Public.

Also, senate file number 89, an act to authorize county judges to subscribe stock in agricultural societies.

Also, senate file number 129, an act for the relief of all persons heretofore divorced since the 4th of July, 1858.

Also, senate file number 114, an act to amend certain sections of the criminal law.

Also, senate file number 147, joint resolution for additional mail facilities; in all of which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

BILLS ON FIRST READING.

Senate file number 139, a joint resolution for additional mail facilities, was read a first and second time, and referred to committee on federal relations.

Senate file number 107, a bill for an act to legalize the organization of Hartland township, in Worth county, was read a first and second time, and referred to committee on county and township organization.

Senate file number 100, a bill for an act to regulate the foreclosure of mortgages, was read a first and second time.

Mr. Caldwell moved that the rule be suspended, and the bill read a third time; carried, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bemis, Bowdoin, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskell, Harris, Hedges,

Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rosenkrans, Ruddick, Shipman, Stevens, Streeter, Taylor, Tompkins, Williamson of Lonisa, Withrow, Witter and Mr. Speaker—59.

The nays were—Messrs. Baker, Barnes, Bereman, Blackford, Cottell, Gniffke, Gurley, Jennings, Mangold, Merrill, Noble, Rees, Riddle, Robb, Stanton, Whitaker, Williams, Williamson of Warren—18.

Absent or not voting—Curtis, Davis of Jasper, Lynch, Millard, Peet, Price of Lee, Robinson, Sabin, and Wright.

The bill was passed and the title agreed to.

COMMUNICATIONS ON SPEAKER'S DESK.

The report of Thos. H. Benton, Jr., in answer to a resolution of the House calling for information relative to the text books now in use in public schools, was received, and ordered to be laid on the table and printed.

On motion of Mr. Paulk, house file number 233 was taken from the table and passed on the files.

By Mr. Paulk: house file number 255, a bill for an act to amend section 16, of chapter 158, of the 7th General Assembly, &c.; was read a first and second time, and referred to committee on ways and means.

By Mr. Clark, of Des Moines: house file number 256, a bill for an act to provide for an agricultural and scientific survey of the State of Iowa; was read first and second time, and referred to committee on agriculture.

The committee to whom was referred house file number 247, a bill for an act to amend chapter 46 of the laws passed by the 5th General Assembly, have instructed me to report the same back to the House, and recommend its passage. D. M. HARRIS.

Which report was received.

Senate file number 114, a bill for an act to amend certain sections of the criminal law, was read the first and second time, and referred to committee on judiciary.

Mr. Rees moved that when this House adjourns, it adjourn till Monday morning at 9 o'clock. Carried.

On motion, senate file number 50 was taken from the table and placed on file.

The committee on public lands, to whom was referred senate file number 33, a bill for an act to amend chapter 107 of the acts of the 6th General Assembly, have had the same under consideration, and report the same back and recommend its passage.

PEET.

The bill was read first and second time, the rule suspended, the

bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Blackford, Bemis, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McCullough, of Lee, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—69.

The nays were—Messrs. Haskall, Riddle—2.

Absent or not voting—Bereman, Barnes, Campbell, Claggett, Curtis, Davis of Jasper, Lynch, Millard, Price of Lee, Robinson, Robb, Sabin and Wright.

The bill was passed and the title agreed to.

Senate file number 93, "a bill for an act legalizing the acts of David C. Sperry, of Fayette county, Iowa, as a Notary Public," was read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Barnes, Bracewell, Bennett, Blackford, Bemis, Bremner, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—67.

The nays were—Messrs. Campbell, Rees, Stevens, Whitaker—4.

Absent or not voting—Bereman, Caldwell, Clark of Jefferson, Curtis, Davis of Jasper, Lynch, Macomber, McQuinn, Millard, Price of Lee, Price of Muscatine, Riddle, Robinson, Sabin, Wright.

The bill was passed and the title agreed to.

House file number 35, "an act to provide for the redemption of real estate sold on foreclosure of mortgages," was taken up, and upon the question of concurring in the amendment made by the Senate, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing,

Crawford, Doggett, Darling, Davis of Johnson, Dennison, Gillett, Gniffke, Goodrell, Gurley, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Mosser, Noble, Peet, Price of Muscatine, Quinn, Rees, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williams, Withrow, Witter—58.

The nays were—Messrs. Clark of Des Moines, Dunlavey, Ellis, Glasgow, Gue, Hall, Jennings, Lambert, Mangold, Merrill, Parker, Paulk, Reed, Riddle, Taylor, Williamson of Louisa—16.

Absent or not voting—Messrs. Barnes, Curtis, Davis of Jasper, Lynch, Millard, Price of Lee, Robinson, Robb, Sabin, Williamson of Warren, Wright, and Mr. Speaker.

The amendments were concurred in.

Mr. Claggett moved to reconsider the vote just taken.

Mr. Bennett moved to postpone the motion to reconsider till Monday. Carried.

By leave, Mr. Bereman presented house file number 254, a joint resolution for mail facilities; was read first and second time, and referred to committee on federal relations.

On motion of Mr. Bennett, the bill (house file number 220,) in relation to the abolition of the law for the collection of debts, was taken from the table and passed on the files.

On motion, the house adjourned.

HALL OF REPRESENTATIVES,
Monday, March 12th, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of Saturday read and approved.

PETITIONS &c.

Mr. Baker presented two remonstrances from citizens of Clinton county, against the formation of a new county, which were referred to the committee on new counties.

Mr. Parker presented two petitions from citizens of Clinton county, asking that the lands conditionally granted to the Iowa Central railroad, be granted to the Cedar Rapids and Missouri River railroad, which were referred to the committee on railroads.

Mr. Parker presented two petitions from citizens of Clinton

county, asking that the Iowa Central railroad grant of land, be granted to a company that shall open a road from Lyons westward, which were referred to the committee on railroads.

Mr. McQuinn presented a petition from citizens of Benton county asking the State to donate certain lands to the Cedar Rapids and Missouri River railroad, which was referred to the committee on railroads.

Mr. Tompkins presented a petition from citizens of Tama county on the same subject, which was referred to the committee on railroads.

Mr. Goodrell presented a petition from the Board of Directors of Capitol School District, asking for the repeal of all laws authorizing the Secretary of the Board of Education to recommend any particular series of books, which was referred to a special committee of three, consisting of Messrs. Goodrell, Baker and Shipman.

Mr. Bracewell presented a petition from citizens of Wayne county, asking that all permanent improvements be exempt from taxation, which was referred to the committee on ways and means.

Mr. Jennings presented the petition of Samuel McNutt and others, asking protection for laborers in the matter of wages, which was referred to the Judiciary committee.

Mr. Bremner presented a petition from citizens of Marshall county, asking that certain lands be granted to the Cedar Rapids and Missouri River railroad, which was referred to the committee on railroads.

RESOLUTIONS.

Mr. Tompkins offered the following resolution:

Resolved, That from and after this day, this house will meet at eight o'clock, A. M., which was laid over one day under the rule.

Mr. Bowdoin offered the following resolution:

Resolved, That during the consideration of the School Laws, the Secretary of the Board of Education be invited to be present, and requested to make such statements and suggestions in relation thereto, as he may deem necessary. Which was adopted.

REPORTS OF COMMITTEES.

Mr. Caldwell from the judiciary committee introduced house file number 257, an act in relation to damages done by dogs, to tax same and protect stock from their ravages, being substitute for house files number 103 and 104, which was read a first and second time.

Mr. Caldwell from committee on Judiciary submitted the following report:

The Judiciary committee to whom was referred house file number 250, an act confirming certain powers on the drainage commis-

sioner of Jackson county, have had the same under consideration, and herewith report the same back and recommend that it be indefinitely postponed.

CALDWELL, Ch'n.

Which report was concurred in, and the bill placed on the file.

Mr. Caldwell from the judiciary committee, submitted the following report:

The judiciary committee to whom was referred senate file number 114, a bill for an act to amend certain sections of the criminal law, have had the same under consideration, and have instructed me to report the same back with the following amendments, and recommend its passage:

Strike out all of section one, after the enacting clause, and sections two and three.

Insert the letter "t" before the word "or," in the 3d line of section 5.

Strike out section 6.

CALDWELL, Ch'n.

Which report was received and the bill placed on the file.

Mr. Caldwell, from the judiciary committee, submitted the following report:

The judiciary committee to whom was referred house file number 239, an act to allow hotel and boarding house keepers certain liens, have had the same under consideration and herewith report the same back and recommend that it be indefinitely postponed.

CALDWELL, Ch'n.

Which was concurred in.

The judiciary committee to whom was referred house file number 159, an act to prevent incumbrance transfers and conveyances of real estate, have had the same under consideration and have instructed me to report the same back and recommend that it be indefinitely postponed.

CALDWELL, Ch'n.

Which report was received and the bill passed on the file.

The judiciary committee to whom was referred house file number 248, an act to amend section 1983 of the code, have had the same under consideration, and a majority of said committee have instructed me to report the same back without any recommendation. The undersigned entertains the opinion that the change of the present law, as proposed by said bill would be unwise and unjust. It would result in much delay and costs to plaintiffs, and not unfrequently, in a total loss of their security for the payment of their debt. As the law now stands, defendants have the right of appeal, and it is believed no defendant will be deprived of that right for want of security on the appeal bond, when the mortgaged premises are worth the debt or the defendant is solvent, and if the mortgaged premises are worth less than the judgment, and the defendant is insolvent, it is unjust to put it in the power of such a defendant to keep possession of the property (always rapidly depreciating in value under such circumstances,) delay the plaintiff for a long time and put him to the trouble and costs attending all appeals to the Supreme Court:

CALDWELL, Ch'n.

Which report was received and placed on file.

The judiciary committee to whom was referred senate file number 105, an act to regulate and provide the payment of jury fees, have had the same under consideration, and have instructed me to report the same back without any recommendation.

CALDWELL, Ch'n.

Which report was received and the bill placed on file.

The judiciary committee to whom was referred senate file number 110, an act to provide for the alteration and vacation of streets and alleys in unincorporated villages, have had the same under consideration, and have instructed me to report the same back, and recommend its passage.

CALDWELL, Ch'n.

Which was received, and the bill placed on file.

ENROLLED BILLS.

Mr. Dennison from the committee on enrolled bills submitted the following report :

The committee on enrolled bills ask leave to report that they have examined the following bill, and find the same correctly enrolled : House file number 106, a bill to amend section 940 of the code of Iowa.

J. W. DENNISON, Ch'n.

Mr. Streeter, from the committee on roads and highways, submitted the following report :

The committee on roads and highways to whom was referred senate file number 75, a bill for the regulation of State and county roads within towns and cities, have had the same under consideration, and have instructed me to report the same back, and recommend that it do not pass.

STREETER, Ch'n.

Which was received and the bill passed on the file.

Mr. Gue, from the committee on agriculture, submitted the following report :

The committee on agriculture to whom was referred house file number 256, an act to provide for an agricultural and scientific survey of the State of Iowa, have had the same under consideration, and a majority of the committee have instructed me to report it back to the house and recommend its passage.

B. F. GUE, Ch'n.

Which was received, and the bill passed upon file.

Mr. Ruddick, from the committee on incorporation, submitted the following report :

The committee on incorporation to whom was referred senate file number 113, a bill to legalize the city election of the city of Glenwood, have had the same under consideration, and I am instructed to report the same back to this house and recommend its passage.

RUDDICK.

Which was received and the bill passed on the file.

Mr. Peet, from the committee on public lands, submitted the following report :

Your committee to whom was referred house file number 158, report the same back, and recommend that the same do pass.

Which was received, and the bill passed on the file.

Mr. Bereman from the committee on Federal relations, submitted the following report :

The committee on federal relations to whom was referred house file number 215, a bill to prevent the invasion of sister states, have had the same under consideration, and report the same back to the house without any recommendation. BEREMAN, Ch'n.

Which was received and the bill placed on the file.

Mr. Bereman, from the committee on federal relations, introduced house files number 264 and 265 ; also reported back house files 231, 235, 245, 221, 240, 241, 242, and senate files 125, 131, 132, 139, being memorials and joint resolutions for mail facilities.

Mr. Cowing moved to re-commit all the bills relating to mail facilities, with instructions to report a bill embracing all of said bills. Carried.

Mr. Goodrell, from the committee on railroads, submitted the following report: The majority of the committee on railroads, to whom was referred house file 154, "an act to facilitate the construction of railroads," have had the same under consideration, and have instructed me to report the same back and recommend that it do not pass. GOODRELL, Ch'm.

Which was received, and the bill passed on the file.

INTRODUCTION OF BILLS.

Mr. Williamson, of Louisa, introduced house file number 258, an act defining the duties of county officers in relation to public printing; which was read a first and second time, and referred to a select committee consisting of Messrs. Jennings, Williamson of Louisa, Withrow, Bennett, and Davis of Johnson.

Mr. Goodrell introduced house file number 259, an act to authorize the Des Moines Navigation and Railroad Company to create and issue preferred stock, and for other purposes; which was read a first and second time, and referred to the judiciary committee.

Mr. Gillett introduced house file number 260, "a bill for an act to restrain cattle, sheep, horses and swine from running at large;" which was read a first and second time, and referred to the committee on agriculture.

Mr. Parker introduced house file number 261, a bill for an act in relation to the recording of chattel mortgages, and bills of sale of personal property; which was read a first and second time, and referred to the committee on county and township organization.

Mr. Moser introduced house file number 262, an act for the relief of Benjamin Keller, Michael Hannelly and Wm. Thrift; which

was read a first and second time, and referred to a select committee consisting of Messrs. Moser, Clark of Jefferson, and Clark of Des Moines.

On motion of Mr. Caldwell, senate file number 129, "an act for the relief of all persons heretofore divorced since the 4th day of July, 1858," was taken up and read a first and second time, and referred to the judiciary committee, with instructions.

On motion of Mr. Ruddick, house file number 135, a bill for an act to establish the Court of Quarter Sessions, to define its jurisdiction, to provide for the election of a judge of said court, and to abolish the office of county judge, was taken up and placed on the file.

Mr. Caldwell introduced house file number 263, an act in relation to the publication of legal notices; which was read a first and second time, and referred to the judiciary committee.

The House then took up the special order, being house file number 223, a bill for an act confirming the recent act of the Board of Education, providing for a system of common schools.

Mr. Beal moved that the House go into committee of the whole on the bill. Carried.

Mr. Beal was called to the Chair.

The committee rose, reported progress, and asked leave to sit again to-morrow at 10 o'clock; which report was concurred in.

Message from the Senate:

MR. SPEAKER:—I herewith present for your signature, senate file number 10, an act to amend section 1240 of the Code of Iowa.

Also, senate file number 80, an act to release to Martin McHugo the right of the State, by escheat, to a parcel of land in Henry Co., Iowa; the same having passed both branches of the General Assembly, and been duly enrolled by Senate.

I am further directed by the Senate to inform the House that the Senate has passed senate file number 149, an act to legalize the acts of the Bloomfield township school district, in Davis Co., Iowa.

Also, senate file number 158, joint resolution for additional mail facilities; in which the concurrence of the House is asked.

I am also directed to inform the House that the Senate insists on its amendment to house file number 53, "an act making appropriations to meet the expenses of the Deaf and Dumb Asylum," and asks a committee of conference; and that Senators Coolbaugh and Wilson of Jefferson have been appointed such committee on the part of the Senate.

J. H. SANDERS, Sec'y Senate.

Mr. Claggett, by leave, offered the following resolution:

Resolved, That the use of this Hall be tendered, this evening, at 7 o'clock, P. M., to Lindley M. Hoag, of the Society of Friends, for the purpose of a religious meeting.

Adopted.

The Chair appointed the following committee of conference on the bill making appropriation to the Deaf and Dumb Asylum: Messrs. Clark of Johnson, Baker and Witter.

On motion, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Goodrell moved to make house files number 207 and 217 the special order for Wednesday next, at 10 o'clock. Carried.

Mr. Baker moved to lay the motion to reconsider the vote on the Senate's amendment to house file number 35, on the table.

Mr. Hall moved for a call of the House, which was made, and the following members were found absent and unexcused: Messrs. Blackford, Dennison, Gurley, Hegdes, Hotchkiss, Kellogg, Lambert, Macomber, Wright and Millard.

The Sergeant-at-Arms was directed to bring in the absentees, which he did, and they were excused.

The motion to lay the motion to reconsider on the table was then withdrawn.

Mr. Moser, by leave, offered the following resolution:

Resolved, That any member who absents himself from the house after the meeting of the same, shall not receive any compensation for any day he so absents himself; which was laid over one day.

The house then went into committee of the whole on senate file number 126, being the code of civil practice.

Mr. Gue was called to the chair

The committee rose, reported progress and asked leave to sit again, which report was concurred in.

By leave, Mr. McQuinn introduced house file number 265, a bill for an act to carry into execution the trust conferred upon the State of Iowa, in respect to the lauds granted by an act of Congress approved May 15, 1856, to aid in the construction of a railroad from Lyons city across the State of Iowa, and near the forty-second parallel, to the Missouri river, which was read a first and second time and referred to the committee on railroads.

By leave, Mr. Baker introduced house file number 266, an act in amendment of chapter 157 of the laws of the seventh General Assembly, which was read a first and second time and referred to committee on county and township organization.

By leave, Mr. Gurley introduced house file number 267, a bill for an act to encourage manufactures in the State of Iowa, which was read a first and second time, and referred to the committee on ways and means.

Mr. Moser, from select committee, by leave reported back house

file number 262, an act for the relief of Benjamin Keller, Michael Hannely and William Thrift, and recommended its passage.

Which report was received, and the bill passed on file.

On motion of Mr. Williams, the house adjourned.

HALL OF REPRESENTATIVES, }
Tuesday, March 13th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Young.

Journal of yesterday read and approved.

PETITIONS.

Mr. Bowdoin presented the petition of citizens of Hardin county asking for a division of Grundy county, &c., &c., was referred to committee on new counties.

Mr. Parker presented the petition of citizens of Clinton county, asking the State to give certain lands to the Cedar Rapids and Missouri River Rail Road Company, which was referred to the committee on railroads.

Mr. Parker presented a petition of citizens of Clinton county, asking the State to donate certain lands to aid in the construction of a railroad from Lyons through the interior of the State, was referred to the committee on railroads.

Mr. Gillett presented the petitions of citizens of Hardin county, asking for a change in the boundaries of Hardin and Grundy counties, was referred to committee on judiciary.

Mr. Streeter presented a petition from citizens of Hardin county, asking for a change in the boundaries of Hardin and Grundy counties, was referred to committee on judiciary.

Mr. Hunt presented three petitions from citizens of Hardin county, asking for a change in the boundaries of Hardin and Grundy counties, was referred to committee on judiciary.

Mr. Gillett presented 7 remonstrances from citizens of Grundy county against any change in the boundaries of Grundy and Hardin counties, which were referred to the committee on judiciary.

By leave, Mr. Clark of Johnson, from the judiciary committee, reported the following bills back to the house with sundry recommendations :

House file number 230, a bill for an act relating to the publica-

tion of ordinances and other acts of city government, reported the same back, amended, and recommend its passage.

House file number 187, a bill for an act to amend section 2705 of the Code in relation to adultery, reported a substitute without any recommendation.

House file 228, an act legalizing certain bonds issued by the city of Camanche, reported the same back amended, and without recommendation, which reports were received.

RESOLUTIONS.

Mr. Bennett presented the following resolution:

Resolved, That Henry P. Scholte be instructed to forward immediately, if ready, the Holland messages to this house for distribution.

Which was adopted.

By leave, Mr. Streeter presented house file number 269, a bill for an act to repeal part of section 6 chapter 93 of the acts of the 7th General Assembly authorizing the construction of bridges, &c., &c., was read a first and second time and ordered to be engrossed

REPORTS OF COMMITTEES.

The judiciary committee, to whom was referred house file number 161, "an act to regulate costs in certain cases in the District Court," have had the same under consideration, and have instructed me to report the same back with certain amendments and recommend its passage.

Proposed amendments. After the word "contracts" in the first line of section 1, add the words "expressed or implied."

Section 3. In actions brought in the District Court for costs or injuries to reputation, person or property, the plaintiff shall not receive any more costs than damages, unless the damages recovered exceed fifty dollars.

Strike out the "3" after section and insert four last sections of the bill.

Which report was received.

Message from the Senate.

Mr. SPEAKER:—I herewith return house file number 112, an act to resume all rights conferred upon the I. C. A. L. R. R. Company, by an act approved July 14th, 1856, and to repeal certain laws in relation thereto, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

Mr. Dunlavey, from select committee, to whom was referred house file number 216, have had the same under consideration, and instructed me to report a substitute and recommend its passage.

H. DUNLAVEY, Ch'm.

On motion, the substitute was referred to the committee on judiciary with instructions to report as early as possible.

The resolution of Mr. Tompkins, relative to meeting at 8 o'clock, A. M., was taken up, and upon the question of the adoption of the resolution, it was lost.

By leave, Mr. Beal presented the petition of citizens of Boone county asking the State to donate certain lands to the Cedar Rapids and Missouri River Railroad, which was referred to the committee on railroads.

By leave, Mr. Wright presented the petition of citizens of Cedar county, asking certain lands for the Cedar Rapids and Missouri River Railroad Company; was referred to committee on railroads.

Mr. Lambert, from committee on ways and means, to whom was referred a resolution relating to the payment of school fund commissioners in certain cases, by leave, reported house file number 270, a bill for an act to provide payment of school fund commissioners in certain cases; was read a first and second time, and placed on file.

Mr. Moser's resolution relating to members receiving no pay when absent, was taken up, when Mr. Caldwell offered the following substitute:

Resolved, That any member who is absent on a call of the house, shall not receive any compensation for any day on which he is so absent, unless he is excused by the house; upon the adoption of which, Mr. Goodrell demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dunlavey, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Kellogg, Lynch, Macomber, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Reed, Rosenkrans, Robb, Stanton, Stevens, Tompkins, Williamson of Louisa, Withrow—43.

The nays were—Messrs. Beal, Barnes, Bracewell, Bennett, Blackford, Campbell, Clark of Des Moines, Claggett, Conner, Cottell, Doggett, Darling, Ellis, Goodrell, Harris, Hedges, Hotchkiss, Jennings, Jones, Lambert, LeLacheur, McCullough of Jackson, Millard, Peet, Quinn, Rees, Riddle, Ruddick, Shipman, Streeter, Whitaker, Williams, Williamson of Warren, Witter, Wright, and Mr. Speaker—36.

Absent or not voting—Messrs. Curtis, Dennison, McCullough of Lee, Price of Lee, Robinson, Sabin, and Taylor.

The substitute was adopted.

Mr. Bennett moved a call of the house.

Absent and unexcused, Mr. Dennison; refusing to answer, Messrs. Peet and Ellis.

Mr. Bowdoin moved that further proceedings under the call be suspended. Carried.

Mr. Kellogg moved to reconsider the vote taken upon the substitute of Mr. Caldwell.

Mr. Caldwell moved to lay the motion to reconsider on the table, upon which, Mr. Kellogg demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gue, Hall, Haskall, Lynch, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Reed, Rosenkrans, Robb, Stevens, Tompkins, Williamson of Louisa, Withrow—36.

The nays were—Messrs. Barnes, Bracewell, Bennett, Blackford, Campbell, Clark of Des Moines, Claggett, Conner, Cottell, Doggett, Darling, Dunlavey, Ellis, Gniffke, Goodrell, Gurley, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Lee, Millard, Peet, Price of Lee, Quinn, Rees, Riddle, Ruddick, Shipman, Stanton, Streeter, Taylor, Whitaker, Williams, Williamson of Warren, Witter, Wright, and Mr. Speaker—46.

Absent or not voting—Messrs. Curtis, Dennison, Robinson, and Sabin.

The motion did not prevail.

The question then being upon the reconsideration, was carried.

Mr. Claggett then moved that the resolution be indefinitely postponed. Carried.

Mr. Beal moved that the house go into committee of the whole upon the school law. Carried.

The house went into committee of the whole, Mr. Beal in the chair. The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

Mr. Gurley asked that the report on mileage of members be read and corrected; which was done.

Mr. Davis, of Johnson, moved that the school bills be referred to a select committee of five with instructions to report in favor of sub-district system.

On motion the house adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The question being upon the motion of Mr. Davis, of Johnson, Mr. Bowdoin moved to lay the motion to re-commit, with instructions, on the table.

Mr. Hall moved to re-commit to committee on judiciary, which motion prevailed.

The house then went into committee of the whole upon the Code of Civil Practice, Mr. Gue in the chair.

The committee rose, reported Senate file number 126 back with sundry amendments, and recommended its passage, which report was concurred in.

Mr. Hall, from committee on judiciary, reported back substitute for house file 237, and recommended its passage.

Also, house file 246, and recommended its passage; which reports were received.

The committee of ways and means, to whom was referred house file number 236, have had the same under consideration, and have directed me to report the same back to the house, with a recommendation that it do not pass. WRIGHT.

Which report was received, and the bill passed on the file.

By leave, Mr. McCullough, of Jackson, presented a petition from citizens of Jackson county, asking that no change be made in the boundaries of said county; which was referred to the committee on new counties.

Mr. Ruddick moved that house file number — be taken from the table and passed on the files. Carried.

On motion, the house adjourned.

HALL OF REPRESENTATIVES, }
Wednesday, March 14th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Young.

The Journal of yesterday read and approved.

Mr. Goodrell moved that house file number 236, an act relating to capitol building, be made the special order for to-morrow, at 10 o'clock. Carried.

On motion of Mr. Paulk, house file number 233, a bill for the election of township collector, &c., was made the special order for Friday next, at 10 o'clock.

PETITIONS.

Mr. Gillett presented the petition of citizens of Wright county, praying that permanent improvements upon the soil be exempted from taxation, which was referred to the committee on ways and means.

Mr. Gillett presented the petition of citizens of Grundy county, for changing the boundary lines of Hardin and Blackhawk counties, which was referred to committee on judiciary.

Mr. Streeter presented the petition of citizens of Blackhawk and Grundy counties, asking a change in the boundaries of said counties, which was referred to committee on new counties.

Mr. McCullough of Jackson presented a remonstrance from citizens of Jackson county against any change in the boundaries of Jackson county; was referred to committee on new counties.

Mr. Curtis presented a petition from citizens of Marion county, asking that certain improvements be exempt from taxation, which was referred to committee on ways and means.

BILLS ON FIRST READING.

Senate files numbers 147 and 158, being joint resolutions for additional mail facilities, were read a first and second time, and referred to committee on federal relations.

Senate file number 149, a bill for an act to legalize the acts of Bloomfield township school district, in Davis county, was read a first and second time, the rule suspended, the bill read a third time, and upon the question shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Dagggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavy, Ellis, Gillett, Glasgow, Guiffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—74.

The nays were—Messrs. Bereman, Quinn, Stevens—3.

Absent or not voting—Gurley, Jones, Kellogg, Lambert, McCullough of Lee, Peet, Price of Lee, Riddle, and Wright.

The bill was passed and the title agreed to.

By leave, Mr. Clark of Johnson reported back substitute for house file number 216, a bill for an act for the assessment of damages in laying out roads and highways, and recommended its passage.

Substitute for senate file number 89, a bill for an act to authorize county judges to subscribe stock in agricultural societies, was read a first and second time, when Mr. Bereman moved to indefinitely postpone the bill.

Mr. Cowing moved to recommit the bill to committee on Agriculture. Carried.

By leave, Mr. Hall reported house file number 152, a bill for an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Improvement as school lands back to the house, and asked that it be laid on the table and printed.

Mr. Claggett moved to recommit the bill to the judiciary committee. Carried.

Senate file number 76, a bill for an act making appropriations for the support of the Iowa Penitentiary, and to supply the deficiency in the appropriation made by the seventh General Assembly, which was read a first and second time and referred to committee on ways and means.

Senate file number 143, a bill for an act concerning and regulating partition fences in common, was read a first and second time, and referred to committee on agriculture.

Message from the Senate:

Mr. SPEAKER:—I am directed by the Senate to inform the house that the Senate has passed Senate file number 76, "a bill for an act making appropriation for the general support of the Iowa penitentiary, to supply the deficiency in the appropriation made by the seventh General Assembly; also,

Senate file number 143, an act concerning and regulating partition fences and fences in common, in which the concurrence of the house is asked.

I also return house file number 219, "an act to legalize the levy of road tax in Sioux City, for the year 1859," also,

House file number 30, "an act to punish the makers of chattel mortgages in certain cases, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

REPORTS OF COMMITTEES.

Your committee on roads and highways to whom was referred house file number 50, have had the same under consideration and beg leave to report the same back with a substitute therefor, and recommend its passage.

House file number 229, a bill for an act making provision for the payment of the salary and contingent expenses of the commissioner of the Des Moines River Improvement company, and requiring K., Ft. D. & M. R. R. Co., to pay the amount of said salary and contingent expenses, was read a second time, and referred on motion of Mr. Williamson, to committee on judiciary.

Mr. Clark of Johnson by leave, reported from judiciary committee, substitute for house file number 187, a bill for an act to amend

section 2705 of the code, which on motion was read a second time and on motion of Mr. Bennett, was laid on the table.

On motion of Mr. Goodrell, the house went into committee of the whole upon house file number 207, a railroad bill.

Mr. Jennings in the chair.

The committee rose, reported progress and asked leave to sit again, which report was concurred in.

Mr. Gurley from committee on ways and means, by leave, presented house file number 271, a bill for an act making appropriation for the payment of the mileage of members of the Eighth General Assembly, was read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Crawford, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Mangold, Millard, Mitchell, Merrill, Morehead, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—64.

The nays were—Messrs. Bereman, Cowing, Curtis, Darling, Gue, Hoag, Macomber, McCullough of Jackson, Price of Muscatine, Sabin, Stevens—11.

Absent or not voting—Kellogg, Lambert, McQuinn, McCullough of Lee, Moser, Noble, Price of Lee, Robb, Whitaker, Williamson of Warren, Wright.

The bill was passed and the title agreed to.

On motion of Mr. Baker the rule was suspended, and the bill ordered to be sent to the Senate.

On motion, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

House file number 239, a bill for an act to allow hotel and boarding house keepers certain liens, was read a second time.

Mr. Baker moved to indefinitely postpone.

Mr. Hall moved to lay on the table.

Mr. Hedges demanded the yeas and nays which were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson,

Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gurley, Hall, Hoag, Hunt, Lynch, Mitchell, Merrill, Morehead, Moser, Noble, Robinson, Rosenkrans, Ruddick, Stanton, Streeter, Taylor, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—39.

The nays were—Messrs. Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Goodrell, Gue, Haskall, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, Macomber, Mangold, McCullough of Jackson, Millard, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Robb, Sabin, Stevens, Tompkins, Whitaker, Williams, Williamson of Warren—39.

Absent or not voting—Baker, Kellogg, Lambert, McCullough of Lee, McQuinn, Price of Lee, Riddle, Shipman.

Motion lost.

Mr. Claggett moved that the bill be engrossed and read a third time now. Carried.

Upon the question shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bracewell, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gue, Harris, Hedges, Hotchkiss, Jones, LeLacheur, Macomber, Mangold, McCullough of Jackson, Noble, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robb, Sabin, Stevens, Tompkins, Whitaker, Williams, Williamson of Warren, Witter—39.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Gillett, Glasgow, Gurley, Hall, Haskall, Hoag, Hunt, Jennings, Lynch, Millard, Mitchell, Merrill, Morehead, Moser, Quinn, Riddle, Robinson, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Taylor, Williamson of Louisa, Withrow, Wright and Mr. Speaker—41.

Absent or not voting—Kellogg, Lambert, McCullough of Lee, McQuinn, Price of Lee, and Bennett.

Mr. Bowdoin moved a reconsideration of the vote just taken.

Mr. Merrill moved to lay the motion to reconsider on the table.

Mr. Paulk moved to postpone till March 27. Lost.

Mr. Bennett moved to postpone till to-morrow morning. Lost.

The question then being upon the motion to reconsider, upon which the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gue, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Noble, Parker, Peet, Price of Muscatine, Quinn, Reed, Rees, Robb, Sa-

bin, Stevens, Whitaker, Williams, Williamson of Warren, Witter—40.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Gillett, Glasgow, Hall, Haskell, Hoag, Hunt, Millard, Mitchell, Merrill, Morehead, Moser, Paulk, Riddle, Robinson, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Wright and Mr. Speaker—39.

Absent or not voting—Messrs. Beal, Gurley, Hotchkiss, Kellogg, Lambert, McCullough of Lee, Price of Lee.

The motion prevailed.

Mr. Bennett moved to lay the bill upon the table. Lost.

Mr. Bennett moved to postpone till next Monday. Lost.

Mr. Williams moved to refer to a select committee. Lost.

The question then being upon the passage of the bill, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Noble, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Robinson, Robb, Sabin, Stevens, Tompkins, Whitaker, Williams, Williamson of Warren, Witter—48.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Glasgow, Hall, Hoag, Millard, Mitchell, Merrill, Morehead, Moser, Riddle, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Taylor, Williamson of Louisa, Withrow, and Mr. Speaker—32.

Absent or not voting—Gurley, Kellogg, Lambert, McCullough of Lee, Price of Lee, Wright.

The bill was passed and title agreed to.

The House then took up senate file number 126, the Code of Civil Practice.

Mr. Baker moved to recede from the amendment made in relation to attorney's fee.

Mr. Williams moved to reconsider the vote, in committee of the whole, upon the amendment on striking out \$5.00, attorney's fee; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Darling, Davis of Jasper, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Haskell, Hoag, Hunt, Jennings, Lynch, Mangold, Mitchell, Merrill, Morehead, Moser, Noble, Paulk, Peet, Quinn, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Wright, and

Mr. Speaker—46.

The nays were—Messrs. Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Crawford, Curtis, Doggett, Davis of Johnson, Dunlavey, Ellis, Gue, Hall, Harris, Hedges, Hotchkiss, Jones, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Parker, Price of Muscatine, Reed, Rees, Riddle, Robinson, Stanton, Stevens, Taylor, Whitaker, Williamson of Warren, Witter—35.

Absent or not voting—Clark of Johnson, Kellogg, Lambert, McCullough of Lee, Price of Lee.

The motion prevailed.

The question then being upon the House amendments to senate file number 126, while in committee of the whole, receded from the following amendments:

Page 103, section 407, strike out "one cow and one calf," and insert "two cows and two calves."

Page 104, section 704, in fifth line, after the word "month," insert, "all necessary seeds for his own use, not exceeding fifty dollars in value."

Page 104, section 707, after the word "benefit," strike out, "of a single man not the head of a family nor."

Mr. Claggett moved to strike out section 1376; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gue, Gurley, Haskell, Harris, Hedges, Hotchkiss, Jennings, Jones, Macomber, Mangold, McCullough of Jackson, Price of Muscatine, Quinn, Riddle, Robb, Stevens, Taylor, Whitaker, Williamson of Warren—32.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Hall, Hoag, Hunt, Lynch, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streetter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—46.

Absent or not voting—Gniffke, Kellogg, Lambert, LeLacheur, McCullough of Lee, Price of Lee, Reed, Robinson.

Motion lost.

Mr. Claggett moved to strike out of section 845, all after "costs" in the first line, down to the period after "dollars," in third line, embracing all of the section relating to attorneys' fees. Lost.

The question then being upon concurring in the fourth amendment, page 125, section 845, strike out all down to the first period, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Curtis, Doggett,

Dunlavey, Ellis, Gniffke, Gue, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, McCullough of Jackson, Millard, Parker, Price of Muscatine, Quinn, Reed, Rees, Robinson, Stevens, Taylor, Whitaker, Williamson of Warren—31.

The nays were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Haskall, Hoag, Hunt, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Paulk, Peet, Price of Lee, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streetter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—52.

Absent or not voting—Messrs. Kellogg, Lambert, McCullough of Lee.

Motion lost.

Message from the Senate :

MR. SPEAKER:—I herewith return house file number 113, a bill for an act to create a board of supervisors, defining their duties, and the duties of certain county officers, the same having passed the Senate with the following amendments, in which the concurrence of the House is asked :

First.—Section 2; strike out all after the word “township,” in fifth line, and insert the following: “But if the population of any such township exceeds four thousand inhabitants, and is less than eight thousand, there shall be elected an additional Supervisor from such township or townships, and one additional Supervisor for each 4000 inhabitants over and above 8000. The number of inhabitants to be determined by the last preceding State or Federal census, each of which Supervisors shall hold his office for two years, except as hereinafter provided.

Section 11, Sub-division 17; strike out the words, “or open,” in the first line.

Section 11, Sub-division 23; in the fifth line after “building,” insert the words, “or bridge.”

J. H. SANDERS, Sec’y of Senate.

Mr. Curtis offered the following amendment to the Code of civil practice: Strike out section 47, and insert:

Section 47. There shall be elected at the October election, in the year eighteen hundred and sixty, and every four years thereafter, a Clerk of the Supreme Court, who shall hold his office for the term of four years from the first day of January ensuing his election, and until his successor is elected and qualified.

Section 48. Said clerk shall, before he enters upon the discharge of his duties, take an oath of office in the usual form, and also file with the Secretary of State a bond payable to the State of Iowa, in the penal sum of ten thousand dollars, with sureties to be approved by the said Secretary of State, conditioned that he will

faithfully discharge his duties during his continuance in office, and pay over to the proper person any and all moneys that may come into his hands by virtue of his office, and deliver to his successor all books, papers and records that may belong to the office when his term expires, which bond shall be and remain in the office of the Secretary of State, and suit may be brought thereon for the use of any person injured by the official negligence or malfeasance of said clerk.

Mr. Claggett offered the following amendment to the amendment: The Governor shall appoint, by and with the concurrence of the Senate, a Clerk of the Supreme Court, who shall hold his office for two years from the date of his appointment, and until his successor in office is appointed and qualified. Upon the adoption of which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Claggett, Darling—2.

The nays were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—73.

Absent or not voting—Campbell, Gniffke, Haskell, Jennings, Kellogg, Lambert, McCullough of Lee, Noble, Price of Lee, Price of Muscatine, Streeter.

The motion to amend the amendment did not prevail.

The question then being upon the adoption of the amendment offered by Mr. Curtis, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hotchkiss, Jennings, Jones, LeLacheur, McCullough of Jackson, Millard, Paulk, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williamson of Warren—30.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lynch, Macomber, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—48.

Absent or not voting—Messrs. Campbell, Cowing, Hedges, Kel-

logg, Lambert, McCullough of Lee, Price of Lee, Price of Muscatine.

The amendment did not prevail.

Mr. Williams moved that the rule be suspended and the bill be read a third time now. Carried.

Mr. Hall moved that the bill be read by its title. Carried.

The bill was read, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Hall, Haskall, Hoag, Hunt, Jennings, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Paulk, Peet, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Wright, Mr. Speaker—49.

The nays were—Messrs. Baker, Beal, Bennett, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Crawford, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Gue, Gurley, Harris, Hedges, Hotchkiss, Jones, McCullough of Jackson, Parker, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williamson of Warren, Witter—32.

Absent or not voting—Campbell, Kellogg, Lambert, McCullough of Lee, Price of Lee.

The bill was passed, and the title agreed to.

Mr. Baker moved that the House concur in the amendments made by the Senate to substitute for house file number 113, a bill for an act for the re-organization of counties and townships; upon which question the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, Jennings, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Noble, Parker, Paulk, Peet, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—56.

The nays were—Messrs. Beal, Barnes, Bennett, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hedges, Hotchkiss, Jones, Moser, Riddle, Robinson, Stevens, Taylor, Whitaker, Williamson of Warren—24.

Absent or not voting—Messrs. Kellogg, Lambert, Millard, McCullough of Lee, Price of Lee, Price of Muscatine.

The amendments were concurred in.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
Thursday, March 10, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

The Journal of yesterday read and approved.

The chair announced that part of the Journals of January 25th had been abstracted.

Mr. Baker moved that the Journal Clerk be instructed to supply from the original notes the matter abstracted, as near as practicable, and report the same to this house. Carried.

Mr. Baker moved that a committee be appointed to investigate the pilfering about the hall. Carried.

The chair appointed Messrs. Baker, Goodrell, Quinn.

By leave, Mr. Caldwell introduced house file number 272, a bill for an act to repeal part of section 845 of chapter 31 of the Code of civil practice, which was read a first and second time.

Mr. Witter moved to re-commit, with instructions.

Mr. Paulk moved to re-commit with instructions to report all the amendments, by bill or bills. Lost.

Mr. Witter's motion was lost.

The question then being on suspending the rule, was carried. The bill was read a third time, and upon the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hotchkiss, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—63.

The nays were—Messrs. Baker, Beal, Bemis, Bremner, Gniffke, Gurley, Hoag, Hunt, Jennings, Merrill, Paulk, Peet, Robb, Stevens—13.

Absent or not voting—Messrs. Jones, Kellogg, Lambert, McCullough of Lee, Mitchell, Price of Lee, Reed, Williams, Withrow and Wright.

The bill was passed and the title agreed to.

By leave, the judiciary committee made the following report:

The judiciary committee to whom was referred house file number 229, an act making provision for the payment of the labor of the commissioners, &c., have had the same under consideration, and recommend the passage of the bill, with the following amend-

ments: Strike out the words "and contingent expenses," wherever they occur in the bill. Strike out \$1,723, and insert \$1,460.

H. C. CALDWELL,
J. C. HALL,
I. O. CURTIS,
R. CLARK,
J. H. WILLIAMS.

On motion, the rule was suspended, and the bill, number 272, sent to the Senate.

By leave, Mr. Bereman introduced house file number 273, a bill for an act to repeal section 1376 of the Code of civil practice, which was read a first and second time, when Mr. Bowdoin moved to lay on the table; upon which, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bemis, Bereman, Bowdoin, Caldwell, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Hall, Hoag, Hunt, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Peet, Rees, Ruddick, Sabin, Streeter, Tompkins, Williams, Williamson of Louisa, Wright, and Mr. Speaker—37.

The nays were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Blackford, Bremner, Campbell, Clark of Johnson, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gillett, Gniffke, Gue, Gurley, Haskall, Harris, Hedges, Hotchkiss, Jennings, LeLacheur, Mangold, McCullough of Jackson, Parker, Paulk, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Shipman, Stanton, Stevens, Taylor, Whitaker, Williamson of Warren, Witter—43.

Absent or not voting—Jones, Kellogg, Lambert, McCullough of Lee, Price of Lee, and Withrow.

The motion was lost.

Mr. Bennett moved to suspend the rule and that the bill be read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Bremner, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Gue, Gurley, Harris, Hedges, Hotchkiss, Jennings, LeLacheur, Mangold, McCullough of Jackson, Parker, Paulk, Reed, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williamson of Warren, Witter—36.

The nays were—Messrs. Bemis, Bereman, Bowdoin, Blackford, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Hall, Haskall, Hoag, Hunt, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Peet, Quinn, Rees,

Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Wright, and Mr. Speaker—42.

Absent or not voting—Messrs. Gillett, Jones, Kellogg, Lambert, McCullough of Lee, Price of Lee, Price of Muscatine and Withrow.

The bill was lost.

By leave, Mr. Bowdoin introduced house file number 274, a bill for an act to amend an act fixing the times of holding courts in the Eleventh Judicial District.

The bill was read a first and second time, and the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Macomber, Mangold, McCullough of Jackson, Millard, Mitchell, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—65.

The nays were—Messrs. Ellis, Lynch, Riddle, Stevens, Whitaker—5.

Absent or not voting—Claggett, Davis of Johnson, Dennison, Gue, Jones, Kellogg, Lambert, McCullough of Lee, McQuinn, Merrill, Paulk, Peet, Price of Lee, Withrow, Witter and Wright.

The bill passed and the title was agreed to.

REPORTS.

The committee on claims, to whom was referred house file number 232, a bill for the relief of Michael Sweeney and others, report a substitute and recommend its passage.

CLARK, of Des Moines, for Com.

Which report was received, and the substitute passed on file.

Mr. Williams, by leave, presented house file number 275, a bill for an act amendatory of chapter 102 of the acts of the seventh General Assembly, which was read a first and second time, and referred to the committee on judiciary.

By Mr. Curtis: The judiciary committee, to whom was referred house file number 180, a bill for an act to exempt certain property from taxation, have had the same under consideration, and have instructed me to report the same back, and recommend its reference to the committee on ways and means; which report was received.

By Mr. Curtis: The judiciary committee, to whom was referred a petition of citizens of Louisa county, praying for an additional term of Court in said county, have had the same under consideration, and have instructed me to report the same back and recommend its reference to the delegation from said county; which report was received.

Mr. Curtis, by leave, introduced house file number 276, a bill for an act to provide for the election of a clerk of the Supreme Court of the State of Iowa, was read a first and second time, and on motion, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Blackford, Bremner, Campbell, Clark of Des Moines, Claggett, Conner, Cowing, Curtis, Doggett, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Hall, Harris, Hedges, Hoag, Hotchkiss, Jennings, LeLacheur, Lynch, Mangold, McCullough of Jackson, Millard, Mitchell, Merrill, Noble, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Sabin, Stevens, Taylor, Whitaker, Williams, Williamson of Warren, Witter, and Mr. Speaker—51.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Gurley, Haskell, Hunt, Macomber, McQuinn, Morehead, Moser, Price of Muscatine, Rosenkrans, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Wright—30.

Absent or not voting—Messrs. Jones, Kellogg, Lambert, McCullough of Lee, Price of Lee.

The bill was passed and title agreed to.

Mr. Cowing, by leave, presented house file number 277, a bill for an act to legalize the levy of a school house tax in the several sub-districts of the district township of Jefferson, Poweshiek county, Iowa, which was read a first and second time, and referred to committee on schools and State University.

Mr. Baker, by leave, presented house file number 278, a bill for an act exempting certain articles from execution and attachment, which was read a first and second time, and on motion, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bowdoin, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Merrill, Morehead, Noble,

Parker, Paulk, Price of Muscatine, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—68.

The nays were—Messrs. Bemis, Blackford, Gue, Haskall, Mitchell, Moser, Quinn, Stevens, Wright—9.

Absent or not voting—Messrs. Gillett, Gniffke, Jones, Kellogg, Lambert, McCullough of Lee, Peet, Price of Lee, Shipman.

The bill was passed and title agreed to.

Message from the Senate :

MR. SPEAKER:—I herewith return house file number 271, an act making appropriations for the payment of the mileage of members of the eighth General Assembly, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

On motion, the rules were suspended, and the various bills passed, ordered to be sent to the Senate.

Mr. Hall, by leave, presented house file 279, a bill for an act to amend sections 268 and 269 of the Code of civil practice, which was read a first and second time, and referred to the committee on judiciary.

Mr. Hall, by leave, presented house file number 280, a bill for an act limiting and fixing the interest on taxes in municipal incorporations; which was read a first and second time and passed on the files.

House file number 236, an act relating to the Capitol Building, being the special order, was taken up and read a second time, when Mr. Claggett introduced a substitute, which was also read a second time; pending the discussion of which, Mr. Hall moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The question being upon the substitute offered by Mr. Claggett to house file number 236; pending which, the following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bill, without amendment:

House file number 272, a bill for an act to repeal part of section 845 of chapter 31 of the Code of civil practice.

J. H. SANDERS, Sec'y of Senate.

Pending the consideration of the substitute for house number 236, on motion of Mr. Price, of Muscatine, the house adjourned.

HALL OF REPRESENTATIVES, }
Friday, March 16, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

The Journal of yesterday read and approved.

That part of the journal of January 25th, which by order of the House, on yesterday, was ordered to be re-produced, was read and approved.

REPORTS OF COMMITTEES.

The railroad committee, to whom was referred house file number 265, "an act to carry into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an act of Congress approved May 15th, 1856, to aid in the construction of a railroad from Lyons City across the State of Iowa, and near the forty-second parallel, to the Missouri river;" the majority of the committee have instructed me to report the same back without amendment, and recommend its passage. Also, the petitions referred to the same committee, asking the diversion of the above described land grant, have instructed me to report them back with the accompanying bill.

GOODRELL, Ch'm.

Which report was received.

Mr. Goodrell moved that the bill reported be made the special order for this afternoon.

Mr. Williams moved that the bill be made the special order for Monday next, at 10 o'clock, A. M. Carried.

The majority of the committee on claims, to whom was referred the memorial of Joseph D. Hoag, praying for compensation for services as commissioner to locate the seat of government for the State of Iowa, under an act approved February the 22d, 1847, have had the subject under consideration, and beg leave to make the following report:

They find that by the act aforesaid, John Brown, of Lee county, Joseph D. Hoag, of Henry county, and John Taylor, of Jones Co., were appointed commissioners for the purpose aforesaid, and that in accordance with the instructions contained in said act, they performed their said duties as required by law, as appears by their report, now on file in the office of the Secretary of State, and bearing date January 3d, 1848.

Your committee also find that there was still due the said commissioners, at the time of making said report, as follows: to John Brown, \$93.63; to Joseph D. Hoag, \$111.00: and to John Taylor, \$204.40, as their per diem.

Your committee also find that by an act of the Legislature, approved January the 15th, 1849, the action of said commissioners was annulled, and the Capitol, as selected, was vacated.

Your committee also find that by an act approved January the 15th, 1849, the Legislature appropriated \$204.40, as payment in full for the claim of John Taylor against the State; and also, by an act approved January the 18th, 1855, there was appropriated the sum of \$292.70, in full of the claim of John Brown, for per diem as said commissioner, and for moneys by him paid for lots in said capital.

Your committee also find that Joseph D. Hoag paid for lots by him purchased in the said capital, the sum of \$80.18, being one-fourth of the purchase money of said lots, as required by law.

Your committee find that the said Joseph D. Hoag has never received the balance due him as said commissioner, and that the money expended by him in the purchase of lots in the said capital has never been refunded; and believing that justice and equity demand that he should be placed upon the same footing as the other named commissioners, they therefore recommend that the claim of the said Joseph D. Hoag be allowed, together with six per cent interest from the day of the filing of the report of the said commissioners; they also recommend the passage of the accompanying bill. All of which is respectfully submitted.

A. J. WITHROW,

For a majority of the com.

By Mr. Withrow: house file number 281, a bill for an act relative to the claim of Joseph D. Hoag, as commissioner to locate the seat of government for the State of Iowa; which was read a first and second time, and passed on the file.

The committee on county and township organization, to whom was referred substitute for house file number 126, have had the same under consideration, and have requested me to report the same back, and recommend its passage.

GILLET, Ch'm.

Which report was received.

The committee on ways and means, to whom was referred senate file number 76, a bill for an act making appropriations for general support of the Iowa Penitentiary, to supply deficiency in the appropriation made by the 7th General Assembly, have had the same under consideration, and have directed me to report the same back to the House, and recommend its passage.

W. H. F. GURLEY, Chairman.

Which report was received.

The committee to whom was referred house bill 258, for regulating the printing of legal notices, have instructed me to report, that they have had the same under consideration, and recommend its passage with the following amendment to section one, to-wit: And provided, also, that such county officers shall receive as evidence for the number of such subscribers, the affidavit of the publishers of such papers, whenever they, or any of them, request it; such affidavit being accompanied with the names and post office

address of such subscribers, who shall have been bona fide subscribers for at least six months previous to the date of such affidavit.

J. W. DENNISON, Chairman.

Which report was received, and the bill passed on the file.

By leave, Mr. Baker presented house file number 283, a bill for an act to legalize the acts of H. B. Norton, a Notary Public in Clinton county, Iowa; which was read a first and second time, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Ruddick Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—72.

The nays were—Messrs. Bereman, Ellis, Rees—3.

Absent or not voting—Clark of Des Moines, Kellogg, Lambert, McCullough of Lee, Paulk, Peet, Price of Lee, Stevens, Williams, and Wright.

Mr. Clark, of Johnson, from committee on judiciary, reported back senate file number 88, a bill for an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale on real estate.

On motion, the bill was read a second time; when Mr. Gue offered the following amendments: Strike out "first day of April, 1861," and insert, "date of the taking effect of this act;" and add

Section 2. This act shall be in full force after its publication in the Iowa State Register, and Iowa State Journal.

Mr. Williams moved to strike out all after the enacting clause; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Conner, Cottell, Gillett, Gniffke, Gurley, Hall, Haskall, Jennings, LeLacheur, Lynch, Mangold, Millard, Merrill, Noble, Reed, Rees, Riddle, Robinson, Stanton, Whitaker, Williams, Williamson of Warren, and Mr. Speaker—25.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Macomber, McCullough of Jackson, McQuinn, Mitchell, Morehead, Parker,

Paulk, Price of Muscatine, Quinn, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter—52.

Absent or not voting—Bremner, Campbell, Kellogg, Lambert, McCullough of Lee, Moser, Peet, Price of Lee, and Wright.

Motion lost.

The question then recurred upon the amendments offered by Mr. Gue, which were adopted.

The rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gue, Harris, Hedges, Hotchkiss, Hunt, Jones, LeLacheur, Lynch, Macomber, McQuinn, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter—53.

The nays were—Messrs. Bereman, Blackford, Conner, Cottell, Gniffke, Goodrell, Gurley, Hall, Haskell, Hoag, Jennings, Mangold, McCullough of Jackson, Millard, Merrill, Noble, Reed, Rees, Riddle, Robinson, Robb, Whitaker, Williams, Williamson of Warren, Mr. Speaker—25.

Absent or not voting—Messrs. Beal, Campbell, Clark of Des Moines, Kellogg, Lambert, McCullough of Lee, Price of Lee, and Wright.

The bill was passed and the title agreed to.

Message from the Senate :

MR. SPEAKER :—I herewith return house file number 84, an act to prevent counties, cities and towns from taking stock in works of internal improvement and banking institutions, the same having passed the Senate with the following amendments :

Section 1, third line, strike out the word "hereafter;" also, to add the following, as an additional section after section one :

"All bonds or other evidences of debt heretofore issued by any county or other municipal corporation to any Railroad Company, as capital stock, shall be null and void, and no assignment of the same shall give them any validity."

Also the following as the concluding section :

Section —. This act shall take effect and be in force from and after its publication in the Iowa State Register and the Iowa State Journal, newspapers published at Des Moines.

In all of which, the concurrence of the House is asked.

J. H. SANDERS, Sec'y Senate.

Mr. Millard, by leave, introduced house file number 284, a bill for an act to amend section 101 of chapter 8 of the Code of civil

practice, of the State of Iowa ; which was read a first and second time, and referred to committee on judiciary.

The House then resolved itself into committee of the whole upon house file number 233 ; Mr. Curtis in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock P. M. ; which report was concurred in.

Mr. Robb, by leave, introduced house file number 285, a bill for an act to authorise the change of venue in certain cases ; which was read a first and second time, and referred to committee on judiciary.

Mr. Riddle, by leave, introduced house file number 286, a bill for an act in regard to swamp lands, was read a first and second time, and referred to committee on judiciary.

Mr. Beal, by leave, introduced house file number 287, a bill for an act to amend an act to provide for the election and define the duties of the Secretary of the Board of Education ; was read a first and second time, and referred to select committee on schools, &c., of which Mr. Goodrell is chairman.

Mr. Williams moved that house file number 135 be made the special order for to-morrow at 10 o'clock.

Mr. Witter moved that it be the special order for Tuesday next. Lost.

The question then recurred upon Williams' motion, which was adopted.

Mr. Dennison, by leave, presented house file number 288, a joint resolution for additional mail facilities from Council Bluffs to DeWitt, in Crawford county ; which was read a first and second time, and referred to committee on federal relations.

Mr. Shipman, by leave, offered the following resolution :

Resolved, That a committee of three be appointed to arrange the bills on file in such order as the importance of such bills may require, and no bill shall be taken up out of its regular order.

Which, on motion of Mr. Beal, was laid on the table.

REPORTS.

The committee on incorporations, to whom was referred Senate file number 122, an act to amend chapter 156 of the acts of the sixth General Assembly, have had the same under consideration, and have instructed me to report the same back, and recommend that it be indefinitely postponed.

G. W. RUDDICK.

Which was concurred in.

Mr. Rosenkrans moved that substitute for house file number 232, a bill for an act for the relief of Michael Sweeney and others, be taken up. Carried.

The bill was read a second time, the rule suspended, the bill

read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hotchkiss, Jennings, LeLacheur, Lynch, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—65.

The nays were—Messrs. Bennett, Curtis, Hoag, Ruddick, Stevens, Williamson of Louisa—6.

Absent or not voting—Bemis, Campbell, Clark of Des Moines, Gillett, Hunt, Jones, Kellogg, Lambert, Mangold, McCullough of Lee, Noble, Peet, Price of Lee, Whitaker and Wright.

The bill was passed and the title agreed to.

Messages from the Senate.

MR. SPEAKER:—I herewith present for your signature, senate file number 33, an act to amend chapter 107 of the acts of the sixth General Assembly, entitled an act to legalize the sale of school lands, made by John Jordan, school fund commissioner of Decatur county, Iowa.

Also, Senate file number 93, an act legalizing the acts of David C. Sperry, of Fayette county, Iowa, as Notary Public, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

Also, I herewith return house file number 53, an act making appropriations to meet the expenses of the Deaf and Dumb Asylum; the Senate having adopted the report of the committee of conference in relation thereto, and passed the bill with the following amendments:

In section 1, strike out \$8,500 and insert \$7,000. Strike out \$9,000 and insert \$7,500; in which the concurrence of the House is asked.

I also herewith return house file number 274, an act to amend an act fixing the the times of holding courts in the 11th Judicial District, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

Committee on enrolled bills ask leave to report that they have handed to the Governor for his signature, house file number 206, an act to amend section 940 of the Code of Iowa.

Also, that they have examined the following bill and find the same correctly enrolled:

House file number 271, an act making appropriation for the

payment of the mileage of members of the eighth General Assembly.

Also, house file number 112, a bill for an act to resume all rights conferred upon the Iowa Central Air Line Railroad Company, by an act approved July 14th, 1856, and to repeal certain laws in relation thereto.

Also, house file number 80, an act to punish the makers of chattel mortgages in certain cases.

Also, substitute for house file number 178, a bill for an act to legalize the levy of road tax in Sioux City for the year 1859.

J. W. DENNISON,
J. E. WILLIAMSON.

On motion, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Curtis, from the committee on judiciary, submitted the following reports:

The judiciary committee, to whom was referred the remonstrance of sundry citizens of Webster county, against any legislation on the subject of the school fund by the State, harmonizing with the recommendation of the Governor in his message, have had the same under consideration, and have instructed the undersigned to report the same back, with the recommendation that there be no such legislation on the subject, as the Governor recommends.

CURTIS.

The judiciary committee, to whom was referred the petition of sundry citizens of Van Buren county, praying the passage of a law requiring all persons to give security for costs at the time of the commencement of suits, have had the same under consideration, and have instructed the undersigned to report, that all needful legislation on the subject is provided in the Code of civil practice.

CURTIS.

Which reports were received.

Mr. Witter moved to reconsider the vote taken upon the passage of house file number 276.

Mr. Goodrell offered the following resolution:

Resolved, That the Chief Clerk of this house be instructed to request the Senate to return to this house, house file 276, a bill providing for the election of a Clerk of the Supreme Court by the people.

Mr. Bennett moved a call of the House, pending which, Mr. Ellis moved that further proceedings under the call be dispensed with. Carried.

The question then recurred upon the adoption of the resolution,

upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Johnson, Davis of Jasper, Dennison, Gillett, Glasgow, Goodrell, Gurley, Haskell, Hoag, Hunt, Lynch, Macomber, Mangold, McQuinn, Merrill, Morehead, Moser, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter and Mr. Speaker—42.

The nays were—Messrs. Baker, Beal, Bemis, Bracewell, Bennett, Olaggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, LeLacheur, McCullough of Jackson, Millard, Mitchell, Parker, Paulk, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—33.

Absent or not voting—Campbell, Clark of Des Moines, Jones, Kellogg, Lambert, McCullough of Lee, Noble, Peet, Price of Lee, and Wright.

The motion prevailed.

The house then resolved itself into committee of the whole, upon the special order, house file number 233.

Mr. Curtis in the chair.

The committee rose, reported the bill back to the house, and recommended its passage, which report was concurred in.

Message from the Senate.

MR. SPEAKER:—In accordance with the request of the House, I am directed by the Senate to return house file number 276.

J. H. SANDERS, Sec'y of Senate.

Mr. Goodrell moved that the vote on house file number 276 be reconsidered.

Mr. Bennett moved to lay the motion to reconsider on the table, upon which he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bracewell, Bennett, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, Lynch, McCullough of Jackson, Millard, Parker, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—33.

The nays were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Haskell, Hoag, Hunt, Macomber, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—43.

Absent or not voting—Messrs. Campbell, Clark of Des Moines

Claggett, Gniffke, Gue, Kellogg, Lambert, McCullough of Lee, Price of Lee, Wright.

The motion did not prevail.

Mr. Bennett moved a call of the house, pending which,

Mr. Goodrell moved that further proceedings under the call be dispensed with.

Mr. Bennett demanded the yeas and nays which were ordered and were as follows :

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—48.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, Lynch, McCullough of Jackson, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williamson of Warren—29.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Claggett, Gniffke, Kellogg, Lambert, McCullough of Lee, Price of Lee, Wright.

The motion prevailed.

Mr. Bennett moved to adjourn. Lost.

The question then recurred upon the reconsideration of the vote upon house file number 276, the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Macomber, McQuinn, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—41.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hotchkiss, Jennings, Jones, LeLacheur, Lynch, McCullough of Jackson, Millard, Mitchell, Paulk, Peet, Reed, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—31.

Absent or not voting—Messrs. Bemis, Campbell, Clark of Des Moines, Claggett, Cottell, Gillett, Gniffke, Kellogg, Lambert, Mangold, McCullough of Lee, Price of Lee, Rees, and Wright.

The motion prevailed.

Mr. Williams moved to adjourn. Lost.

Mr. Baker moved to lay the bill on the table. Lost.

The question then recurred on the passage of the bill, and the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bracewell, Bennett, Bremner, Conner, Curtis, Doggett, Dunlavey, Ellis, Gillett, Gue, Hall, Harris, Hotchkiss, Jennings, Jones, LeLacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Noble, Parker, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Stevens, Taylor, Whitaker, Williams, Williamson of Warren, Witter—41.

The nays were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Gurley, Haskall, Hoag, Hunt, Macomber, McQuinn, Merrill, Morehead, Moser, Price of Muscatine, Quinn, Rosenkrans, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow—34.

Absent or not voting—Campbell, Clark of Des Moines, Claggett, Cowing, Gniffke, Hedges, Kellogg, Lambert, Price of Lee, Wright, and Mr. Speaker.

The bill was lost for want of a constitutional majority.

Mr. Caldwell moved to reconsider the vote just taken.

Mr. Curtis moved to adjourn. Lost.

Mr. Curtis moved a call of the house, pending which,

Mr. Rosenkrans moved that further proceedings under the call be dispensed with, upon which Mr. Curtis demanded the yeas and nays which were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskall, Hoag, Hunt, LeLacheur, Lynch, Macomber, Mangold, Millard, McQuinn, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Stanton, Streeter, Tompkins, Williamson of Louisa, and Withrow—45.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Caldwell, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, McCullough of Jackson, Paulk, Peet, Rees, Riddle, Robinson, Robb, Shipman, Stevens, Taylor, Williams, Williamson of Warren, Witter—29.

Absent or not voting—Messrs. Clark of Des Moines, Claggett, Ellis, Gniffke, Kellogg, Lambert, McCullough of Lee, Price of Lee, Reed, Whitaker, Wright, and Mr. Speaker.

The motion prevailed.

On motion of Mr. Curtis, the house adjourned.

HALL OF REPRESENTATIVES, }
Saturday, March 17th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

The Journal of yesterday read and approved.

PETITIONS.

By leave Mr. Paulk presented a petition from citizens of "Winfield," asking a change of the name of said town to that of "Harper's Ferry," which was referred to committee on judiciary.

By leave Mr. Paulk presented the petition of citizens of Alama-kee county and others for additional mail facilities, was referred to committee on federal relations.

By leave, Mr. Paulk presented house file number 289, a bill for an act in relation to registering the transfer of land in the several counties of this State, was read a first and second time.

Mr. Bowdoin moved to refer the bill to committee on judiciary.

Mr. Shipman moved to amend by referring the bill to Mr. Bowdoin.

Mr. Withrow moved to amend by adding Mr. Paulk to committee

Mr. Claggett offered the following substitute, to refer to a committee of three, consisting of Messrs. Bowdoin, Paulk, and Price of Muscatine. Which substitute was adopted.

By leave, Mr. Clark of Johnson presented house file number 290, a bill for an act appropriating the Saline Lands and Funds to the State University, which was read a first and second time and referred to committee on Schools and State University.

By leave, Mr. Hall from committee on judiciary reported back house file number 152, a bill for an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Improvement on School Lands, without recommendation, which on motion of Mr. Gurley, was laid on the table and ordered printed.

Mr. Hall, from the committee appointed to investigate the affairs of the Insane Asylum, submitted a Report and Depositions which were received, when Mr. Baker offered the following resolution:

Resolved, That the report and accompanying depositions be laid on the table, and that 5,000 copies of the same be printed for the use of the house and senate, the printed reports to be ready for distribution by Thursday A. M., next, and the printed depositions to be ready for distribution by one week from Monday next, which was adopted.

REPORTS OF COMMITTEES.

The special committee to whom was referred house file number

203, an act to amend section 1249 of the code, have had the same under consideration, and herewith report a substitute therefor, and recommend its passage.

H. C. CALDWELL.

The judiciary committee, to whom was referred house file number 259, an act to authorize the Des Moines Navigation and Railroad Company to create and issue preferred stock, and for other purposes, have had the same under consideration, and have instructed me to report the same back with the following amendments, viz:

1st—Change the title to the following: “An act legalizing certain acts of the Des Moines Navigation and Railroad Company.”

2d—Strike out sections 1, 2, 3 and 5.

3d—Strike out the word “said,” in first line of section 4, and insert in lieu thereof, “the Des Moines Navigation and Railroad;” strike out the words “hereby or,” in the third line of section 4. With the foregoing amendments, the committee recommend its passage.

CALDWELL, Chairman.

The judiciary committee, to whom was referred senate file number 129, “an act for the relief of all persons heretofore divorced since the 4th day of July, 1858,” have had the same under consideration, and recommend the passage of said bill, with the following amendments:

1st—Strike out the words “since the 4th day of July, 1858,” in the first section of the bill.

2d—Add at the end of the first section, the following: “And no disability to marry shall attach to persons hereafter divorced, whether said divorce shall be from the bonds of matrimony, or from bed and board, anything in any law or statute of this State to the contrary notwithstanding.”

3d—Strike out the second section; change the title of the bill to the following: “An act in relation to persons who have been or may hereafter be divorced.”

CALDWELL, Ch’n.

Which reports were received.

Mr. Bennett offered the following resolution:

Resolved, That the Governor of the State be requested to inform this House at what time the commissioners to investigate the several State offices were appointed, and whether said commissioners are continued in office, and are now acting under appointment, in pursuance of an act approved March 23d, 1858, creating such commissioners, and if said commissioners have since the first appointment, been re-appointed; if so, the term of said re-appointment.

Which was laid over under the rule.

By leave, Mr. Peet introduced house file number 291, a bill for an act limiting the powers and defining the duties of Co. Judges in certain cases; which was read a first and second time, and on motion, the rule was suspended, the bill read a third time, and

upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Olaggett, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Merrill, Morehead, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—65.

The nays were—Messrs. Beal, Conner, Noble, Quinn, Riddle, Stevens—6.

Absent or not voting—Barnes, Bemis, Campbell, Clark of Des Moines, Hoag, Kellogg, Lambert, McCullough of Jackson, McCullough of Lee, Mitchell, Moser, Price of Lee, Shipman, Wright.

The bill was passed, and the title agreed to.

On motion, the rule was suspended and the bill ordered to be sent to the Senate.

Mr. Sabin, by leave, introduced house file number 292, an act to legalize the taxes levied in Howard county, for the year 1859, was read first and second time, and was referred to committee on judiciary.

Mr. Sabin, by leave, presented the petition of citizens of Howard county, asking that the land given to aid in the construction of a railroad on or near the 42d parallel, may revert to the General Government upon an equally liberal grant being made to the McGregor, Paint Creek and Mankato Railroad; which was referred to committee on public lands.

Mr. Sabin, by leave, presented a petition from citizens of Howard county, asking that the board of township school directors shall have the power to fix the boundaries of the sub districts, was referred to committee on schools and State University.

Mr. Hoag, by leave, presented a petition from citizens of Winneshiek county, asking for land for the McGregor and Mankato Railroad; which was referred to the committee on public lands.

Mr. Hoag, by leave, presented the petition of citizens of Winneshiek county, asking for the passage of a law to enforce the removal of obstructions in rivers, that prevent fish from running; which was referred to committee on internal improvements.

Mr. Davis, of Jasper, by leave, presented four petitions from citizens of Jasper county, asking that hogs and other stock be restrained from running at large; which was referred to committee on agriculture.

Mr. Harris, by leave, presented the petition of citizens of Audubon county, asking that certain improvements on real estate be

exempted from taxation ; which was referred to committee on ways and means.

Mr. Jennings, by leave, introduced house file number 293, a bill for an act to prevent and punish trespass upon agricultural lands, gardens and orchards ; which was read a first and second time, and referred to committee on judiciary.

On motion of Mr. Ruddick, the House resolved itself into committee of the whole to consider house file number 135, a bill for an act to establish a Court of Quarter Sessions, &c., &c. ; Mr. Witter in the chair. The committee rose, reported the bill back to the House and recommended its indefinite postponement ; in which report the House concurred.

Mr. Clark, of Johnson, by leave, offered the following resolution :

Resolved, That a select committee of five be appointed to act with a select committee of the Senate, (of which Mr. Mann is chairman,) to report a bill giving additional jurisdiction in civil cases, to County Judges, and to recommend such other measures as may be necessary, and to report.

Upon the adoption of which, the yeas and nays were ordered, and were as follows.

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Clark of Johnson, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Hoag, Hunt, Jennings, Macomber, Mangold, McQuinn, Millard, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Rosenkrans, Robb, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Bracewell, Bennett, Caldwell, Campbell, Clark of Jefferson, Olaggett, Conner, Cottell, Curtis, Doggett, Dunlavey, Ellis, Haskall, Harris, Hedges, Hotchkiss, Jones, LeLacheur, Lynch, McCullough of Jackson, Mitchell, Merrill, Morehead, Moser, Noble, Riddle, Robinson, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Whitaker—34.

Absent or not voting—Clark of Des Moines, Kellogg, Lambert, McCullough of Lee, Price of Lee, Quinn, and Wright.

The resolution was adopted.

The chair appointed Messrs Clark of Johnson, Jennings, Gurley, Hall and Baker, that committee.

Mr. Bowdoin moved that when this house adjourn it adjourn till 9 o'clock Monday morning. Carried.

REPORTS.

By leave, Mr. Dennison, from committee on enrolled bills submitted the following reports :

Committee on enrolled bills, ask leave to report that they have

examined house file number 272, an act to repeal part of section 895 of chapter 31 of the Code of civil practice.

Also, substitute for house file number 113, a bill for an act creating a County Board of Supervisors, defining their duties, and the duties of certain county officers, and find the same correctly enrolled.

Also, that they have handed to the Governor for his signature, house file number 271, an act making appropriation for the payment of the mileage of the members of the eighth General Assembly.

Also, house file number 112, a bill for an act to resume all rights conferred upon the Iowa Central Air Line Railroad Company by an act approved July 14th, 1856, and to repeal certain laws in relation thereto.

Also, house file number 80, an act to punish the makers of chattel mortgages in certain cases.

J. W. DENNISON, Chairman.

March 16th, 1860.

ENGROSSED BILLS.

Cowing, from committee on engrossed bills, submitted the following report :

The committee on engrossed bills, beg leave to report that they have examined the following bills, and have found the same correctly engrossed :

House file number 161, a bill for an act to regulate costs in certain cases in the District Court.

House file number 269, a bill for an act to repeal part of section six of chapter 93 of the acts of the 7th General Assembly, authorizing the construction of bridges.

By leave, Mr. Dennison presented house file number 294, a bill for an act amending section 2 of the act passed at the present session of the legislature, creating a county Board of Supervisors, was read a first and second time, and referred to the committee on township and county organization.

Mr. Paulk, by leave, introduced house file number 295, a bill to amend an act entitled an act creating a board of Supervisors, &c., which was read a first and second time, and referred to committee on township and county organization.

Mr. Jennings, by leave, presented house file number 296, a bill for an act to provide the members and officers of the General Assembly with stationery, &c., which was read a first and second time, and referred to committee on judiciary.

Mr. Claggett, by leave, introduced house file number 297, a bill for an act to legalize the issuing of the bonds of Lee county for building a court house in said county; which was read a first and second time, and referred to the delegation from Lee county.

On motion of Mr. Clark, of Johnson, house file number 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum, was taken up, and the question being upon the amendments made by the committee of conference and and concurred in by the Senate, to wit:

In section 1, strike out \$8,500 and insert \$7,000. Strike out \$9,000 and insert \$7,500; upon concurring in which, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—73.

The nays were—Messrs. Jennings, Stevens—2.

Absent or not voting—Messrs. Clark of Des Moines, Ellis, Gillett, Kellogg, Lambert, McCullough of Lee, Noble, Price of Lee, Quinn, Riddle, and Wright.

The amendments were concurred in.

On motion of Mr. Moser, house file number 262, a bill for an act for the relief of Benjamin Keeler and others, was taken up and read a second time; on motion the rule was suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Mangold, McCullough of Jackson, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Rees, Rosenkrans, Robb, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—61.

The nays were—Messrs. Bereman, Bowdoin, Bennett, Clark of Jefferson, Curtis, Hall, Jones, Reed, Ruddick, Stevens—10.

Absent or not voting—Clark of Des Moines, Doggett, Kellogg, Lambert, Lynch, Macomber, Mitchell, McCullough of Lee, Noble, Price of Lee, Quinn, Riddle, Robinson, Whitaker, and Wright.

The bill was passed and title agreed to.

Mr. Gurley, by leave, presented the memorial of citizens of Scott county, praying the General Assembly to adopt some measures for the speedy completion of the Insane Asylum, so as to be ready to receive those insane persons who are now in the jails of the several counties; which was referred to committee on ways and means.

On motion, the House adjourned.

HALL OF REPRESENTATIVES,
Monday, March 19th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr Drake.

The Journal of Saturday read and approved.

By leave, Mr. Witter, from the committee on charitable institutions, submitted a report in regard to the affairs of the Blind Asylum, at Vinton.

Mr. Beal moved that the report be laid on the table, and two hundred copies printed.

Mr. Clark, of Johnson, called for a division of the motion, which was granted.

The question then being upon the motion to lay on the table, it was adopted.

By leave, Mr. Witter, from same committee, reported back house file number 208, a bill for an act to repeal an act to locate and provide for the erection of an institution for the education of the blind of the State of Iowa, without any recommendation.

By leave, Mr. Witter introduced house file number 298, an act relating to public officers; which was read a first and second time.

Mr. Caldwell offered the following amendments:

Section 1. That every person appointed by the Governor, or elected by the Legislature, or otherwise appointed or elected a trustee, manager, commissioner or inspector, or a member of any board of trustees, managers, commissioners or inspectors, now or hereafter created or provided by law, for the government, control, management or inspection of any public building, improvement, or institution whatsoever, owned, controlled or managed in whole or in part by or under the authority or direction of this State, shall, before entering upon the discharge of his duties as such trustee, manager, commissioner or inspector, take and subscribe an oath in substance and form as follows:

I, (here insert official's name,) do solemnly swear that I will

support the Constitution of the United States, and of the State of Iowa; that I will honestly and faithfully discharge the duties of (here describe nature of the office, trust or position as trustee, manager or inspector, as the case may be,) according to the laws that now are, or that may hereafter be in force regulating said institution, and prescribing the duties of (trustees, managers or inspectors thereof, as the case may be); that I will in all things conform to the directions contained in said law or laws, and that I will not directly or indirectly, as such (trustee, manager or inspector, as the case may be,) make or enter into, or consent to any contract or agreement, expressed or implied, whereby any greater sum of money shall be expended, or agreed to be expended, than is expressly authorized by law at the date of such contract or agreement.

Which was adopted.

Mr. Curtis moved to amend the bill by striking out "high misdemeanor," and inserting "felony." Adopted.

Mr. Claggett moved to amend section five by adding, "at the discretion of the court." Adopted.

Mr. Bereman moved to strike out after the word "shall," in section five, the words, "be guilty of a felony and." Adopted.

Mr. Hall moved that the bill be referred to the committee on judiciary. Lost.

The rule, on motion, was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—78.

The nays were—None.

Absent or not voting—Messrs. Clark of Des Moines, Ellis, Hoag, Lambert, McCullough of Lee, Noble, Price of Lee, and Wright.

The following was agreed to as the title of the bill: "An act requiring trustees, managers, commissioners and inspectors of public buildings, improvements or institutions, to take and subscribe an oath, and punishing a violation of the same."

On motion, the rule was suspended, and the bill sent to the Senate.

Message from the Senate:

Mr. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 153, an act to establish a Code of Criminal Practice.

Also, senate file number 56, an act authorizing the Co. Judge of Appanoose county, to appropriate a portion of the proceeds of the swamp land fund for the erection of a court house. In all of which the concurrence of the House is asked.

I also return house file number 148, a bill for an act to authorize the purchase and distribution of 150 copies of Dillon's Digest, the Senate having refused to pass the same.

I am also directed to inform the House that the Senate has concurred in the House amendment to the resolution in relation to adjournment *sine die*.

J. H. SANDERS, Sec'y of Senate.

By leave, Mr. Williams offered the following resolution:

Resolved, That senate file number 153 be made the special order for to-morrow afternoon, and every afternoon thereafter until the same be disposed of; and that the commissioners be and are hereby invited to occupy a place on this floor, and participate in the discussion of the same.

Mr. Claggett moved to strike out the last clause of the resolution. Lost.

The resolution was adopted.

By leave, Mr. Hall introduced house file 299, a bill for an act to create the office of commissioner of the school and University funds, and defining the duties of said officer; which was read a first and second time, and referred to committee on schools and State University.

By leave, Mr. Hall introduced house file number 300, a bill for an act in relation to persons insane, and providing for the relinquishment of dower of married women who are insane; was read a first and second time, and passed on the file.

Mr. Curtis called up the question upon the balance of the motion of Mr. Beal to print 2,000 copies of report on Blind Asylum.

Mr. Shipman moved to amend by striking out "2,000," and inserting "500." Adopted.

The motion to print, as amended, was then adopted.

By leave, Mr. Sabin, from committee on public lands, reported by introducing house file number 301, a bill for an act to release and re-grant to the government of the United States, the lands heretofore granted to the Iowa Central Air Line Railroad Company, and resumed by the State; which was read a first and second time, and passed on file.

Mr. Claggett, from the delegation from Lee county, reported back house file number 297, a bill for an act to legalize the issuing of the bonds of Lee county, for the building of a court house in said county, and recommended its passage; which was received, and the bill passed on file.

REPORTS OF COMMITTEES.

By leave, Mr. Caldwell submitted the following report:

The judiciary committee, to whom was referred house file number —, “an act to amend an act entitled an act to amend an act entitled an act to provide a system of common schools,” with instructions to report whether the General Assembly could rightfully pass said bill, report, that there was a difference of opinion among the members of the committee, as to the power of the legislature under the Constitution, to abolish the existing township district system, and adopt the independent district system. In view of the doubtful authority of the Legislature to adopt the independent district system without the concurrence of the Board of Education, your committee recommend that the General Assembly adopt the independent district system, that the act shall not take effect the current year, and shall provide for an early meeting of the Board of Education, to the end that the action of the General Assembly may be approved and confirmed by said Board, and thus remove all doubts as to the constitutionality of the law before the same goes into operation. It is believed the Board of Education, at their last session, would have adopted the independent district system, if they had possessed the power to conform the present financial system to such change; and no doubt is entertained that the Board of Education will conform their action to the will of the people, as expressed through the Legislature.

CALDWELL, Ch’n.

Which report was received.

By leave, Mr. Caldwell offered the following resolution:

Resolved, That the committee on schools be and they are hereby instructed to report to this House, at the earliest possible day, a school law providing for the independent district system, and that they also provide in said act for an early meeting of the Board of Education, in order that any act passed by the General Assembly may receive the approval and be confirmed by said Board, before the same goes into operation.

Which was adopted.

The House then resolved itself into committee of the whole, upon house file number 266, an act to carry into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a railroad from Lyons City across the State of Iowa, and near the 42d parallel, to the Missouri river.

Mr. Merrill in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock; which report the House concurred in.

On motion, the house adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Bemis presented the minority report of the committee to investigate the affairs of the Insane Asylum; which, on motion, was laid on the table, and ordered printed with the majority report.

By leave, Mr. Paulk presented a report from a select committee appointed to investigate certain charges alleged to have been made against Hon. T. W. Claggett.

The select committee to whom was referred the house resolution hereto annexed, marked "A," report that they have had the same under consideration, and have investigated all the matters therein referred to them. From the statements of Mr. Caldwell, Chairman of the judiciary committee, and from personal knowledge of the members of said select committee, they report that the material facts in the case are as follows: The member from Wapello, (Mr. Mitchell) in his defense of another member of this house who had been charged with having improperly altered a bill while in the hands of a committee, and in replying to some remarks of Judge Claggett on that subject, remarked that the gentleman from Lee (Mr. Claggett), had obtained a bill from the judiciary committee, and had not returned it. After some explanatory remarks by Judge Claggett, Mr. Mitchell stated to the house that he had not intended to impute to the gentleman from Lee any improper motive or conduct, but with inconsistency, merely. This is the substance of what occurred in the house.

The chairman of the judiciary committee (Mr. Caldwell) appeared before said select committee, and stated that a bill relating to mortgages, introduced by Judge Claggett and referred to the judiciary committee, was delivered by him (Mr. Caldwell) to Judge Claggett at his request, and for the purpose of being offered as a substitute for a bill on the same subject then pending before the house, and that said bill was afterwards offered as such substitute by Judge Claggett, and came into the possession of this house pursuant to the original understanding.

Your committee are therefore of the opinion that the member from Lee (Mr. Claggett) has done nothing in the premises unbecoming a gentleman, or a member of this house; and ask to be discharged from the farther consideration of the subject.

C. PAULK,
J. TAYLOR,
W. W. COTTLE.

Resolution referred to in the annexed report, as marked "A."

WHEREAS, The member from Wapello (Mr. Mitchell) has stated in this house that Thos. W. Claggett, a member of this house, took a report or bill from one of the committees of this house, and never

returned the same, with intimation that he had been guilty of improper conduct as a member of this house: Therefore, be it

Resolved, That the Speaker appoint a committee of three, with power to send for persons and papers, to enquire into the charge made by the member from Wapello, and report the facts to this house at an early a day as possible.

Committee—Paulk, Taylor and Cottell.

Mr. Williams moved that the report be laid on the table and printed. Lost.

On motion, the report was laid on the table.

Mr. Williams moved to reconsider the vote taken upon the bill of Mr. Ruddick, establishing a Court of Quarter Sessions, which was delayed until the committee report on similar subjects.

Mr. Curtis moved to reconsider the vote taken upon printing the report of the committee on Public Buildings in reference to the Blind Asylum. Lost.

By leave, Mr. Withrow presented the following resolution:

Resolved, That hereafter the daily sessions of this house shall commence at 8 1-2 o'clock, A. M., and that no member shall be permitted to speak longer than five minutes, nor more than once upon any question, without the unanimous consent of the house.

Mr. Claggett moved to strike out all after "8 1-2 o'clock A. M., upon which he demanded the yeas and nays which were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Bremner, Campbell, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Goodrell, Gurley, Harris, Hedges, Hotchkiss, LeLacheur, McQuinn, Millard, Morehead, Parker, Paulk, Peet, Reed, Rees, Robinson, Rosenkrans, Robb, Sabin, Shipman, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa.—37.

The nays were—Messrs. Barnes, Bemis, Bereman, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Gue, Hall, Haskall, Hunt, Jennings, Jones, Kellogg, Lynch, Macomber, Mangold, Mitchell, Merrill, Moser, Noble, Price of Muscatine, Quinn, Riddle, Ruddick, Stanton, Streeter, Williamson of Warren, Withrow, Witter, and Mr. Speaker—41.

Absent or not voting—Clark of Des Moines, Hoag, Lambert, McCullough of Jackson, McCullough of Lee, Price of Lee, Stevens, Wright.

The motion was lost.

Mr. Goodrell offered the following substitute: That hereafter the sessions of this house shall commence at 8 1-2 o'clock A. M., and no member shall be allowed to speak, unless by unanimous consent of this house.

Mr. Kellogg moved that the resolution and substitute be laid on the table. Carried.

The house then resolved itself into committee of the whole upon the railroad bill.

Mr. Merrill in the chair.

The committee rose, reported the bill back to the house, and asked to be discharged, which report was concurred in.

By leave, Mr. Peet presented the following reports:

Your committee to whom was referred the resolution in relation to graduating the prices of Swamp Lands, have had the same under consideration and have instructed the undersigned to report the accompanying bill and recommend its passage.

PEET, from com. on Public Lands.

Mr. Peet introduced house file number 302, a bill for an act entitled an act to graduate the prices of certain swamp and overflowed lands, which was read a first and second time, and passed on file.

By leave, Mr. Peet presented the following report:

Your committee to whom was referred a petition asking protection for the rights of certain counties to Swamp Lands, have had the same under consideration, and have instructed me to report the following bill and recommend its passage.

PEET, from com. on Public Lands.

Mr. Peet introduced house file number 303, a bill for an act entitled an act to protect the interests and rights of counties to certain swamp and overflowed lands, which was read a first and second time, and the bill passed on file.

Mr. Goodrell moved that the railroad bill be made the special order to-morrow at 10 o'clock. Lost.

On motion of Mr. Gurley, senate file number 76, a bill for an act making appropriations for the general support of Iowa Penitentiary, to supply the deficiency in the appropriation made by the 7th General Assembly, was read a third time.

Mr. Beal moved that the bill be recommitted to committee on ways and means with instructions to report in the appropriation bill. Lost.

Upon the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lynch, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Warren, Withrow, Witter and Mr. Speaker—62.

The nays were—Messrs. Beal, Bennett, Curtis, Doggett, Dan-

Lavey, Ellis, Harris, LeLacheur, Paulk, Peet, Riddle, Robinson, Stevens, Whitaker, Williams, Williamson of Louisa—16.

Absent or not voting—Messrs. Clark of Des Moines, Hoag, Lambert, Macomber, McCullough of Lee, Noble, Price of Lee, Wright.

The bill was passed and the title agreed to.

On motion of Mr. Taylor, the house adjourned.

HALL OF REPRESENTATIVES, }
Tuesday, March 13th, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Drake.

Journal of yesterday read and approved.

BILLS ON SECOND READING.

House file number 229, a bill for an act making provision for the payment of the salary and contingent expenses of the Commissioner of the Des Moines River Improvement, and requiring the Keokuk, Fort Des Moines and Missouri River Railroad Company, to pay the amount of said salary and contingent fund into the State Treasury.

The judiciary committee submitted the following amendments:

Strike out "and contingent expenses," wherever it occurs in the bill.

Strike out "\$1,275," and insert "\$1,460." The amendments were concurred in, and the bill was read a second time, and on motion the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Claggett, Conner, Crawford, Curtis, Darling, Davis of Jasper, Dennison, Dunlavey, Goodrell, Gue, Gurley, Hall, Haskall, Hedges, Hotchkiss, Hunt, Kellogg, Mangold, Millard, Mitchell, Merrill, Moser, Noble, Parker, Quinn, Reed, Rosenkrans, Robb, Shipman, Stanton, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—46.

The nays were—Messrs. Beal, Bereman, Bennett, Clark of Jefferson, Cottell, Cowing, Doggett, Ellis, Glasgow, Gniffke, Harris, Jennings, LeLacheur, Lynch, McCullough of Jackson, McCul-

lough of Lee, Morehead, Paulk, Peet, Price of Muscatine, Riddle, Robinson, Ruddick, Sabin, Stevens, Streeter, Taylor, Williamson of Louisa—28.

Absent or not voting—Campbell, Clark of Des Moines, Clark of Johnson, Davis of Johnson, Gillett, Hoag, Jones, Lambert, Macomber, McQuinn, Price of Lee, Rees.

The bill was passed and the title agreed to.

Message from the Senate:

Mr. SPEAKER:—I am directed by the Senate to inform the house that the senate has reconsidered the vote by which it concurred in the house amendment to the concurrent resolution in relation to adjournment *sine die*.

Mr. SPEAKER:—I am directed by the Senate to inform the House that the Senate has passed senate file number 37, an act entitled an act for the disposition of the Saline Fund, in which the concurrence of the house is asked.

I also return house file number 291, an act limiting the power and defining the duties of county judges in certain cases; also,

House file number 232, an act for the relief of Michael Sweeney and others, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y Senate.

House file number 256, an act to provide for an agricultural and scientific survey of the State of Iowa, was read a second time and,

Mr. Caldwell moved that the bill be indefinitely postponed.

Mr. Kellogg moved to amend the bill by striking out "\$3,000," and insert "\$1,500." Amendment lost.

The question then being upon the question of postponement, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Barnes, Bemis, Bracewell, Bennett, Blackford, Caldwell, Clark of Jefferson, Cottell, Cowing, Curtis, Doggett, Ellis, Glasgow, Haskall, Harris, Hotchkiss, Hunt, LeLacheur, Lynch, McCullough of Jackson, Mitchell, Merrill, Morehead, Moser, Paulk, Peet, Price of Muscatine, Rosenkrans, Sabin, Stanton, Stevens, Whitaker, Williamson of Louisa, Williamson of Warren—35.

The nays were—Messrs. Baker, Bereman, Bowdoin, Bremner, Clark of Johnson, Claggett, Conner, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gillett, Gniffke, Goodrell, Gue, Gurley, Hall, Hedges, Jennings, Jones, Kellogg, McQuinn, Millard, Noble, Parker, Quinn, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Shipman, Streeter, Taylor, Tompkins, Williams, Withrow, Witter, Wright, and Mr. Speaker.—43.

Absent or not voting—Campbell, Clark of Des Moines, Hoag, Lambert, Macomber, Mangold, McCullough of Lee, Price of Lee.

The motion did not prevail.

Mr. Clark of Johnson offered the following amendment: Strike out \$3,000, and insert \$1,200.

Mr. Caldwell moved to lay the bill on the table.

Mr. Bennett moved to amend the amendment by striking out, and inserting \$3,500.

The question being upon laying on the table, was lost.

The question then being upon the amendment to the amendment, was lost.

The question then recurred upon the amendment offered by Mr. Clark, was adopted.

Mr. Clark of Johnson moved that the rule be suspended, and the bill read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Bremner, Clark of Johnson, Olaggett, Conner, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Gniffke, Gue, Gurley, Hall, McQuinn, Millard, Noble, Parker, Quinn, Rees, Riddle, Robinson, Ruddick, Shipman, Streeter, Tompkins, Williams, Withrow, and Witter—31.

The nays were—Messrs. Beal, Barnes, Bemis, Bracewell, Bennett, Blackford, Caldwell, Campbell, Clark of Jefferson, Cottell, Cowing, Curtis, Doggett, Darling, Dunlavey, Ellis, Glasgow, Goodrell, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Lynch, Mangold, McCullough of Jackson, Mitchell, Merrill, Morehead, Moser, Paulk, Peet, Price of Muscatine, Reed, Rosenkrans, Robb, Sabin, Stanton, Stevens, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren, Wright, and Mr. Speaker—48.

Absent or not voting—Clark of Des Moines, Hoag, Lambert, Macomber, McCullough of Lee, Price of Lee, and Williamson of Warren.

The bill did not pass.

Mr. Caldwell moved to reconsider the vote just taken.

Mr. Bennett moved to lay the motion to reconsider on the table. Carried.

House file number 266, "a bill for an act to carry into execution the trusts conferred upon the State of Iowa, in respect to the lands granted by an act of Congress approved May 15th, 1856, to aid in the construction of a railroad from Lyons City across the State of Iowa, and near the forty-second parallel, to the Missouri river;" was read a second time, when

Mr. Taylor offered the following amendment:

Provided, That nothing in this act shall in any manner impair the validity of any bona fide stock, bonds, mortgages, deeds of trust or just claims for money, labor or materials furnished in the construction of said Central Air Line Railroad; but when judicially determined shall be and remain a lien upon the said lands to the extent of the interest of said company in said lands: *Provided further*, That nothing herein shall be so construed as to give

validity to any stock, bonds or other evidences of debt, which may have been issued without just and valid consideration, or created or employed for any other purpose than the actual construction of said railroad,

Upon concurring in which, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bowdoin, Blackford, Bennett, Campbell, Clark of Jefferson, Claggett, Cottell, Cowing, Curtis, Dunlavey, Ellis, Glasgow, Gniffke, Haskall, Jennings, LeLacheur, Mangold, McCullough of Jackson, Millard, Paulk, Peet, Reed, Robinson, Ruddick, Sabin, Stevens, Streeter, Taylor, Williams—30.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bracewell, Bremner, Caldwell, Conner, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lynch, McQuinn, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rees, Riddle, Rosenkrans, Robb, Shipman, Stanton, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—47.

Absent or not voting—Clark of Johnson, Clark of Des Moines, Hoag, Lambert, Macomber, McCullough of Lee, Noble, Price of Lee, and Williamson of Warren.

The amendment was lost.

Mr. Bowdoin offered the following substitute: "A bill for an act to release and re-grant to the government of the United States the lands heretofore granted to the Iowa Central Air Line R. R. Company, and resumed by the State."

WHEREAS, By an act passed by the present General Assembly, the State has resumed the lands heretofore granted by the State to the Iowa Central Air Line Railroad Company, to aid in the construction of their railroad; and

WHEREAS, At the time said grant was made by Congress to the State of Iowa, in trust to aid in the construction of said railroad, the voice of the State of Iowa, as expressed in the memorial of her General Assembly to Congress, asking that the McGregor, St. Peters & Missouri River Railroad Co. should be made one of the beneficiaries to be aided by a grant of lands, was *disregarded*, and the Iowa Central Air Line Railroad Company was substituted in place thereof; therefore,

Section 1. *Be it enacted by the General Assembly of the State of Iowa*, That so much of the lands, interests, rights, powers and privileges granted and conferred in pursuance of the Act of Congress, entitled "An act making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 15th, 1856, to aid in the construction of a railroad "from Lyons City, north-westerly, to a point of intersection with the main line of the Iowa Central Air Line Railroad near Maquoketa, thence on said main line, running as near as prac-

licable to the forty-second parallel, across the State of Iowa to the Missouri River," as have been resumed by the State, or shall be hereafter resumed under the act of resumption recently passed by this General Assembly, are hereby *released, re-granted* and *retroceded* to the government of the United States, to have and to hold to them and to their assigns, as fully as before the original grant was made.

Section 2. This retrocession is made on the express condition, and shall take effect from and after the passage of an act by Congress making an equally liberal grant of lands to the McGregor, St. Peters & Missouri River Railroad Company, along the line of their road, to aid in the construction of a railroad, as described in their charter, from McGregor, westward across the State.

Mr. Bennett offered the following amendment, to be added to section 2: Provided, further, that such lands as may be granted to the State of Iowa by Congress, in lieu of the resumption of the lands originally granted to the Air Line Central Railroad Co., are hereby disposed of, granted and conferred to and upon the Mississippi & Missouri River Railroad Company, to aid in the construction of a railroad from Washington, in Washington Co., via Knoxville, in Marion county, to the Missouri river; this grant to become operative so soon as Congress shall assent to or permit a diversion of said grant; or shall grant to the State of Iowa, other lands in lieu thereof, for the purposes aforesaid.

Mr. Kellogg offered the following amendment, after the words, "Knoxville, in Marion county:" "Through Decatur county, on the most practicable route, to intersect on the Missouri line, a railroad connecting with the Hannibal & St. Joseph Railroad;" which was lost.

Mr. Cowing then offered the following amendment: "This retrocession is made on the express condition, and shall take effect from and after the passage of an act by Congress making an equally liberal grant of lands to the St. Louis, Iowa & St. Paul Railroad Company, to aid in the construction of a railroad as described in their charter;" which was lost.

The question then recurring upon the substitute offered by Mr. Bowdoin, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Cowing, Dunlavey, Gillett, Gniffke, Jennings, LeLacheur, Mangold, Merrill, Noble, Paulk, Peet, Rees, Ruddick, Sabin, Stevens, Streeter, Williams—22.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Olaggett, Conner, Cottell, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Glasgow, Goodrell, Gue, Gurlley, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lynch, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Riddle,

Robinson, Rosenkrans, Robb, Shipman, Stanton, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—55.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Davis of Jasper, Hoag, Lambert, Macomber, McCullough of Lee, Mitchell, Price of Lee.

The substitute was lost.

Mr. Williams offered the following amendment to section 2d:

After word "from" in third line in second section, strike out "some convenient point on the Cedar River, near 42d parallel," and insert "Anamosa by way of Marion and Cedar Rapids."

Mr. Taylor offered the following substitute to the amendment of Mr. Williams: Commencing at Lyons City, thence on the route designated by act of Congress granting said lands; pending which, Mr. Bennett moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Goodrell asked that Mr. Noble be excused for the balance of the session; which was granted.

Mr. Goodrell moved that the special order be dispensed with, and that the bill be taken up which was under consideration at the time of adjournment. Lost.

Mr. Rosenkrans moved that the house resolve itself into committee of the whole, upon the special order, on senate file 153, being the Code of criminal practice. Carried. Mr. Rosenkrans in the chair. The committee rose, reported the bill back to the house and recommended its passage; which report the house concurred in.

Mr. Claggett offered the following amendment to section 225, chapter 20: After the word "cost," in the sixth line, "but the indictment and minutes of the evidence shall not be open to any person except the judge of the Court or the District Attorney, prior to the arrest of the defendant; but it shall be the duty of the clerk on demand of the defendant or his attorney, to furnish, without cost, a copy of the indictment and minutes of the evidence within twenty-four hours after such demand is made and the defendant is arrested;" upon the adoption of which, Mr. Claggett demanded the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bracewell, Bennett, Campbell, Claggett, Conner, Doggett, Dunlavey, Ellis, Gniffke, Gue, Gurley, Harris, Hedges, Jones, LeLacheur, Mangold, McCullough of Jackson, Millard, Parker, Paulk, Peet, Reed, Rees, Riddle, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—31.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Hall, Hunt, Lynch, McQuinn, Mitchell, Merrill, Morehead, Moser, Price of Muscatine, Robinson, Rosencrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Wright, and Mr. Speaker—40.

Absent or not voting—Clark of Des Moines, Curtis, Goodrell, Haskall, Hoag, Hotchkiss, Jennings, Kellogg, Lambert, Macomber, McCullough of Lee, Noble, Price of Lee, Quinn, and Witter.

The amendment was lost.

Mr. Williams moved to strike out all after the word "thereon" in the third line of the same section. Lost.

Mr. Rosenkrans moved that the rule be suspended and the bill read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Hall, Haskall, Hunt, Lynch, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Price of Muscatine, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—44.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Gue, Gurley, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, McCullough of Jackson, Paulk, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—32.

Absent or not voting—Messrs. Clark of Des Moines, Hoag, Kellogg, Lambert, Macomber, McCullough of Lee, Peet, Price of Lee, Quinn, and Wright.

The bill passed and the title was agreed to.

On motion, the House adjourned.

HALL OF REPRESENTATIVES, }
Wednesday, March 21st, 1860. }

House met pursuant to adjournment.

. Prayer by the Rev. Mr. Drake.

The Journal of yesterday read and approved.

Mr. Kellogg requested that he might have leave to record his vote in the negative on the passage of the bill entitled an act to establish a Code of criminal practice.

Mr. Sabin requested that he might have leave to record his vote in the affirmative on the passage of the Supervisor bill and the Code of civil practice.

Mr. Ruddick requested that he might have leave to record his vote in the affirmative, on the passage of house file number 209, a bill to amend the law in relation to the sale of intoxicating liquors; to all of which, objections were made.

The question recurred upon the substitute of Mr. Taylor for the amendment of Mr. Williams to section 2 of house file number 266, as follows: Strike out from the word "aforesaid," in third line, section two, to the word within, on same line, and insert, "commencing at Lyons City, thence along the route designated by act of Congress, making the grant to the Iowa Central Air Line Railroad;" upon the adoption of which, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Campbell, Clark of Jefferson, Claggett, Curtis, Dunlavey, Ellis, Gniffke, Haskell, Jennings, LeLacheur, Mangold, McCullough of Jackson, Millard, Parker, Peet, Reed, Ruddick, Stanton, Stevens, Taylor, Williams—22.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hotchkiss, Hunt, Jones, Lynch, McQuinn, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Quinn, Roes, Riddle, Robinson, Rosenkrans, Robb, Sabin, Streeter, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—53.

Absent or not voting—Messrs. Clark of Des Moines, Hoag, Kellogg, Lambert, Macomber, McCullough of Lee, Noble, Price of Lee, Price of Muscatine, Shipman, Williamson of Warren.

The amendment was not adopted.

The question then recurred upon the amendment offered by Mr. Williams, upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bowdoin, Caldwell, Claggett, Cowing, Crawford, Curtis, Doggett, Dunlavey, Gniffke, Haskell, Jennings, Jones, LeLacheur, Lynch, Mangold, McCullough of Jackson, Millard, Peet, Reed, Riddle, Robinson, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Withrow—29.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bracewell, Bennett, Blackford, Bremner, Campbell, Clark of Jefferson, Conner, Cottell, Darling, Davis of Jasper, Davis of Johnson, Den-

nison, Ellis, Gillett, Glasgow, Goodrell, Hall, Harris, Hedges, Hotchkiss, Hunt, Kellogg, Macomber, McQuinn, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rosenkrans, Robb, Shipman, Tompkins, Whitaker, Williams, Witter, Wright, and Mr. Speaker—44.

Absent or not voting—Clark of Johnson, Clark of Des Moines, Gue, Gurley, Hoag, Lambert, McCullough of Lee, Noble, Paulk, Price of Lee, Rees, Williamson of Louisa, Williamson of Warren.

The amendment was not adopted.

Mr. Robb offered the following amendment to section 1:

Provided further, That it is hereby declared to be the true intent and meaning of this act, that the State of Iowa, according to the conditions herein specified, conveys and grants to the Cedar Rapids and Missouri River Railroad Company, her right, title and interest in the aforesaid lands, and nothing more; and in no event shall said company have any claim or recourse against the State for any defect in the title or conveyance of said lands.

Which was adopted.

Mr. Claggett offered the following amendment to section 1:

Provided, however, That no portion of the grant of lands provided for in this act, shall be applied to the liquidation of any debt or obligation heretofore made or created by the said Cedar Rapids and Missouri River Railroad Company, or of the Chicago, Iowa and Nebraska Railroad Company.

Which was adopted.

Mr. Peet offered the following amendment to section one:

Provided, That the aforesaid company shall construct the said railroad through the present county seats of all the counties through which said railroad may pass, within one and a half miles of the last place of holding the District Courts of said counties; and that said company are to construct and keep a depot within two miles of said place of holding said courts.

Upon which, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Claggett, Curtis, Gniffke, Jennings, Jones, LeLacheur, Mangold, McCullough of Jackson, Peet, Ruddick, Sabin, Stanton, Stevens, Taylor—16.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Kellogg, Macomber, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Shipman, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—57.

Absent or not voting—Messrs. Campbell, Clark of Des Moines,

Cottell, Gurley, Hoag, Lambert, Lynch, McCullough of Lee, McQuinn, Noble, Price of Lee, Rees, Williamson of Warren.

The amendment was not adopted.

Mr. Beal offered the following amendment to section three: In sixth line, after the figures "1858," "so far as said enactments are not inconsistent with the provisions of this act." Adopted.

Mr. Bereman offered the following amendment to section three:

Provided, That said railroad shall be and remain a public highway for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States. Adopted.

Mr. Dennison offered the following amendment to section four: Strike out all after the word "to" in the fourth line, and all before the word "an" in the fifth line of section four. Lost.

Mr. Caldwell offered the following substitute for section six:

Section 6. It is further expressly provided, that it said Cedar Rapids and Missouri River Railroad Company shall fail or refuse to accept of this grant upon the conditions hereby imposed, and in time and manner as aforesaid, the Census Board of this State is hereby authorized, by proper writing, over their signatures, to confer the same upon such party or company as shall, in their judgment, be competent to carry out the enterprise hereinbefore provided for, in good faith, and who shall accept the grant by a proper written instrument duly executed and attested, and shall file the same in the office of the Secretary of this State, subject to all the preceding sections of this act; and the same shall, in that case, be applicable to such grantee, subject to all the foregoing terms and conditions of this act, as fully as if named and originated herein.

Which was adopted.

Mr. Beal offered the following amendment to section eight: In second line after "town of," insert "Boonsboro, in Boone county." Adopted.

Mr. Jennings moved that section 8 be stricken out and the following substitute inserted:

Section 8. It is further provided that said road shall be constructed in its approach to the Missouri River on section seven in township eighty-three, range forty-six, in Monona county.

Which was lost.

Messages from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed Senate file number 78, in which the concurrence of the House is asked.

I am also directed to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked:

Substitute for Senate file number 61, an act repealing part of chapter 138 of the laws of the sixth General Assembly.

Also, substitute for Senate file number 140, an act providing for the election and defining the duties of Supreme Court reporter.

Also, Senate file number 151, an act repealing a part of section 28 of chapter 159 of the acts of the General Assembly of 1858.

Also, Senate file number 170, an act to legalize certain bonds heretofore issued by the county of Story.

Also, Senate file number 159, an act to carry into effect the provisions of section 5 of chapter 21 of the acts of the seventh General Assembly, and amendatory thereto.

Also, Senate file number 177, an act to legalize the levy of taxes in the county of Grundy and the delivery of the tax list to the treasurer of said county.

Also, Senate file number 138, an act to legalize the acts of Charles A. Bannon as Notary Public.

Also, Senate file number 166, an act declaratory of the meaning of an act entitled an act extending the time of completion of 75 miles of road by the Dubuque and Pacific Railroad Company, approved March 7th, 1860.

Also, Senate file number 165, an act securing liens to mechanics, laborers, and others.

Also, Senate file number 62, an act making appropriations for selecting swamp lands.

Also, Senate substitute for House file number 139, an act to legalize the elections and organization of common councils of the city of Clinton.

I also return House file number 192 (substitute) an act legalizing the official acts of the city council of Maquoketa, and the election of the mayor of said city.

Also, House file number 31, an act relating to incest.

Also, House file number 30, an act to legalize the election of the President and town council and other officers of Chariton, Lucas county, and the official acts of the same; the Senate having passed the same without amendment.

I also return Senate file number 88, an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale on real estate; the Senate having refused to concur in the House amendments thereto.

J. H. SANDERS, Sec'y of Senate.

Mr. Claggett offered the following substitute for section 10.

And be it further enacted, That it shall be deemed a felony for the president and directors or managers of said Railroad Company accepting the grant of land to be conveyed by this act, to misapply any of the land herein granted, for any other purpose than the carrying into effect the true meaning and intent of this act; and the president and directors or managers of said Railroad Company, who may be guilty of any such wilful misapplication of the lands herein granted, shall be liable to a fine of not less than five hundred dollars, or imprisonment in the county jail not

less than twelve months and not more than three years, or both such fine and imprisonment, at the discretion of the Court before whom the cases may be tried.

Upon the adoption of which, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Barnes, Bennett, Blackford, Campbell, Claggett, Cottell, Curtis, Doggett, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gniffke, Haskell, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Lynch, Mangold, McCullough of Jackson, Millard, Paulk, Reed, Rees, Riddle, Robinson, Ruddick, Sabin, Stanton, Streeter, Taylor, Whitaker, Williams, Williamson of Louisa—38.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Bremner, Caldwell, Clark of Johnson, Conner, Crawford, Darling, Davis of Jasper, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Hunt, Macomber, McQuinn, Mitchell, Morehead, Parker, Quinn, Rosenkrans, Robb, Shipman, Tompkins, Withrow, Witter, Wright, and Mr. Speaker—34.

Absent or not voting—Messrs. Clark of Jefferson, Clark of Des Moines, Cowing, Hoag, Lambert, McCullough of Lee, Merrill, Moser, Noble, Peet, Price of Lee, Price of Muscatine, Stevens, and Williamson of Warren.

The amendment was adopted.

Mr. Bereman offered the following amendment to section 8: Before Boonsboro add, "Marshalltown, Marshall county."

Mr. Robb moved to strike out all of section 8. Carried.

Mr. Blackford moved a reconsideration of the vote just taken.

Mr. Bereman moved to lay the motion to reconsider on the table. Carried.

Mr. Bowdoin moved to strike out all after the enacting clause.

Mr. Williams moved to amend by striking out the enacting clause; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bowdoin, Blackford, Dunlavey, Gniffke, Jennings, LeLacheur, Mangold, McCullough of Jackson, Peet, Reed, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Williams—18.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Shipman, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—63.

Absent or not voting—Messrs. Hoag, Lambert, McCullough of Lee, Noble, Price of Lee, Williamson of Warren.

The motion did not prevail.

Mr. Bennett moved a reconsideration of the vote taken upon the amendment of Mr. Claggett.

Mr. Williams moved to adjourn. Lost.

The question then recurred upon the motion for the reconsideration of Mr. Claggett's amendment; which was adopted.

The question then being upon the amendment of Mr. Claggett, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bowdoin, Blackford, Campbell, Clark of Des Moines, Claggett, Cottell, Cowing, Curtis, Doggett, Dunlavey, Ellis, Glasgow, Gniffke, Haskell, Harris, Hedges, Hotchkiss, Jennings, Jones, LeLacheur, Lynch, Mangold, McCullough of Jackson, Millard, Merrill, Morehead, Paulk, Peet, Reed, Riddle, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Whitaker, Williams, Williamson of Lonisa, Williamson of Warren—41.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bracewell, Bennett, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Hunt, Kellogg, McQuinn, Mitchell, Moser, Parker, Price of Muscatine, Quinn, Robinson, Rosenkrans, Robb, Shipman, Tompkins, Withrow, Witter and Mr. Speaker—37.

Absent or not voting—Hoag, Lambert, Macomber, McCullough of Lee, Noble, Price of Lee, Rees, and Wright.

The amendment was adopted.

Mr. Cowing moved that the bill be engrossed and read a third time to-morrow. Carried.

On motion of Mr. Curtis, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Baker offered the following resolution:

Resolved, That there be held, this evening, a session of the house, at 7 o'clock, for the purpose, 1st—Of receiving any petition or remonstrance, and the reference thereof. 2d—Of receiving bills, reading the same a first and second time, and referring to appropriate committees. 3d—For disposing of messages from the Senate and the bills accompanying, by reference to appropriate committees. 4th—For disposing of any bills on their second or third reading, to which no objection is made by any member. 5th—Reception of reports.

Which was adopted.

Mr. Merrill asked leave to introduce a resolution. Lost.

BILLS ON THEIR SECOND READING.

House file number 181, a bill for an act relating to weights and measures, and amendatory of chapter 56 of the Code.

Mr. Harris offered the following amendment: strike out of section third, and fourth line, "Iowa City, in Johnson county," and insert "Des Moines, in Polk county." Lost.

Mr. Paulk moved to strike out "\$100," in section 5, and insert "five dollars."

Mr. Shipman moved to strike out \$100.00," and insert "\$50."

Mr. Taylor moved to amend the amendment by inserting "\$10." Lost.

Mr. Shipman's amendment lost.

The question then recurred upon the motion of Mr. Paulk, which was adopted.

Mr. Kellogg offered the following amendment to section 5: in the 9th line, after the word "county," "shall correspond with the weights and measures in possession of the county judge." Lost.

Mr. Bereman moved to amend section five by inserting after the word "county," in 9th line, the words "by any merchant, grocer, miller, produce dealer or commission merchant;" also, by inserting in the 11th line, between the words "any person," the word "such;" also, to strike out all after the word "act," in line 13, in section five; which was adopted.

Mr. Kellogg offered the following amendment to section nine: "Whenever the word weights is used in this act, it should be so construed as to apply to all scales and steel-yards;" which was lost.

Mr. Clark, of Johnson, offered the following amendment to section nine: "*Provided*, That if such weight or measure be scales, steel-yards or other weighing apparatus used by any dealer in produce, merchandise or stock, the penalty so forfeited shall be one hundred dollars, which shall be recovered for the use of the school fund in like manner;" which was adopted.

Mr. Whitaker offered the following amendment:

Sec. 9. Any person having in his possession scales for weighing beef, pork or hay, may notify the county judge, who shall, either by himself or some person appointed by him for that purpose, repair to the place where said scales are kept, and test the accuracy of said scales, and if found correct, mark the same; for which the owner shall pay for the use of the county, the sum of fifteen cents, and ten cents per mile traveling fees, in going to and returning from the place where such scales are kept.

Which was lost.

Mr. Shipman moved to suspend the rule, and that the bill be read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell,

Bennett, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gillett, Gniffke, Gue, Gurley, Hall, Hunt, LeLacheur, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Withrow—50.

The nays were—Messrs. Beal, Barnes, Bemis, Blackford, Doggett, Ellis, Glasgow, Haskell, Harris, Hedges, Hotchkiss, Jones, Kellogg, Lynch, McCullough of Jackson, Riddle, Robb, Stanton, Stevens, Whitaker, Williamson of Louisa, Williamson of Warren—22.

Absent or not voting—Clark of Jefferson, Goodrell, Hoag, Jennings, Lambert, Macomber, McCullough of Lee, Mitchell, Noble, Price of Lee, Ruddick, Witter, Wright, and Mr. Speaker.

The bill was passed and the title agreed to.

House file number 233, a bill to provide for the election of township collector, and to define his powers and duties, was read a second time.

Mr. Baker moved that the rule be suspended, and the bill read a third time. Carried.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bemis, Bowdoin, Blackford, Bremner, Caldwell, Crawford, Gillett, Gniffke, Gue, Jennings, LeLacheur, McCullough of Jackson, Merrill, Parker, Peet, Rosenkrans, Ruddick, Sabin, Streeter, Taylor, Tompkins, Withrow, Witter, Wright—27.

The nays were—Messrs. Beal, Barnes, Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Kellogg, Lynch, Mangold, McQuinn, Millard, Morehead, Moser, Paulk, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Robb, Shipman, Stanton, Stevens, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—50.

Absent or not voting—Bereman, Gurley, Jones, Lambert, Macomber, McCullough of Lee, Noble, Price of Lee.

The bill was lost.

Mr. Bennett moved a reconsideration of the vote just taken.

Mr. Caldwell moved to lay the motion to reconsider on the table.

Pending which, Mr. Paulk moved a call of the house.

Mr. Ellis moved that further proceedings under the call be dispensed with. Carried.

Mr. Bennett then withdrew his motion to re-consider.

Substitute for house files 103 and 104, a bill for an act in relation

to damage done by dogs, to tax same, and protect sheep from their ravages, was read a second time, when Mr. Claggett moved to fill the first blank with fifty cents.

Mr. Lynch moved to amend by making the first dog free. Lost.

The question then being upon the motion of Mr. Claggett, it was adopted.

Mr. Rees moved to fill the second blank with one dollar. Lost.

Mr. Paulk moved to fill the blank with five dollars. Lost.

Mr. Baker moved to fill the blank with 75 cents. Lost.

Mr. Bennett moved to fill the blank with 60 cents. Adopted.

Mr. Ellis moved that the bill be indefinitely postponed; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bracewell, Bennett, Blackford, Campbell, Clark of Des Moines, Conner, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Ellis, Gue, Gurley, Hall, Haskell, Harris, Hedges, Kellogg, Mangold, Millard, Moser, Paulk, Rees, Riddle, Rosenkrans, Robb, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren—32.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Cottell, Cowing, Darling, Dunlavey, Gillett, Glasgow, Gniffke, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, McCullough of Jackson, McQuinn, Merrill, Morehead, Parker, Peet, Price of Muscatine, Quinn, Reed, Robinson, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Williams, Withrow Witter, Wright, and Mr. Speaker—45.

Absent or not voting—Messrs. Davis of John., Goodrell, Hoag, Lambert, Macomber, McCullough of Lee, Mitchell, Noble, Price of Lee.

Motion lost.

On motion, the rule was suspended and the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bremner, Caldwell, Clark of Jefferson, Claggett, Cottell, Cowing, Crawford, Darling, Dunlavey, Gillett, Gniffke, Hotchkiss, Hunt, Jennings, LeLacheur, McCullough of Jackson, McQuinn, Morehead, Parker, Peet, Price of Muscatine, Quinn, Reed, Ruddick, Shipman, Stanton, Stevens, Streeter, Withrow—35.

The nays were—Messrs. Beal, Bracewell, Bennett, Blackford, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Glasgow, Goodrell, Gue, Gurley, Harris, Hedges, Kellogg, Lynch, Mangold, Millard, Merrill, Moser, Paulk, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter, Wright and Mr. Speaker—42.

Absent or not voting—Messrs. Hall, Hoag, Jones, Lambert, Macomber, McCullough of Lee, Mitchell, Noble, Price of Lee.

The bill was lost.

Mr. Rees moved to reconsider the vote just taken.

Mr. Gue moved to lay the motion to reconsider on the table. Carried.

Mr. Ellis moved to reconsider the vote upon Mr. Baker's resolution with regard to meeting at 7 o'clock, P. M.

Mr. Clark, of Johnson, moved to lay the motion to reconsider on the table. Carried.

On motion of Mr. Merrill, the House adjourned til 7 o'clock, P. M.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

PETITIONS.

Mr. LeLacheur presented the petition of citizens of Delaware county, asking the abolition of the office of county judge, and the establishment of a court of common pleas; which was referred to a select committee, of which Mr. Clark, of Johnson, is chairman.

Mr. Rosenkrans presented the petition of T. E. Alderman, and others, praying relief for the sureties of John Bell, a defaulting school fund commissioner; was laid on the table.

BILLS INTRODUCED.

By Mr. Williams: house file number 304, a bill for an act to cure defective confessions of judgment, in certain cases; which was read a first and second time, and referred to committee on judiciary.

By Mr. Claggett: house file number 305, an act relating to the trial of foreclosures on real property; which was read a first and second time, and referred to a select com. consisting of Messrs. Claggett, Williamson of Warren, and Williamson of Louisa.

By Mr. Clark, of Johnson: house file number 306, a bill for an act to render valid certain sales made and rights acquired under execution; which was read a first and second time, and passed on file.

By Mr. Clark, of Johnson: house file number 307, a bill for an act in relation to the "records" of original title of lots in Iowa City; which was read a first and second time, and passed on file.

By Mr. Clark, of Jefferson: house file number 308, a bill for an act to provide for repairs upon the Capitol building; was read first and second time, and passed on file.

By Mr. Reed: house file number 309, an act relating to swamp and overflowed lands; which was read a first and second time, and referred to committee on county and township organization.

By Mr. Bereman: house file number 310, a bill for an act to prevent frauds at elections; which was read a first and second time, and passed on file.

By Mr. Bereman: house file number 311, being house substitute for house files numbers 231, 240, 221, 241, 235, 242, 245, 265, 264, and for senate files numbers 131, 125, 132, 158, 147 and 139, being a memorial and joint resolution praying for additional mail facilities; which was read a first and second time, and passed on file.

By Mr. Hall: house file number 312, a bill for an act to legalize the official acts of W. R. Brown, a Notary Public of Des Moines county, Iowa; which was read a first and second time, and passed on file.

By Mr. Williams: house file number 313, a bill for an act supplemental to a bill for an act to prevent counties, cities and other municipal corporations from dealing in their indebtedness; which was read a first and second time, and referred to the committee on judiciary.

By Mr. Barnes: house file number 314, a bill for an act in relation to dogs; which was read a first and second time, and passed on file.

By Mr. McQuinn: house file number 315, an act authorizing the Governor to offer rewards for the arrest and delivery of persons charged with the commission of capital crimes; which was read a first and second time, and referred to committee on judiciary.

House file number 316, a joint resolution for increased mail facilities, which was read a first and second time and passed on file.

By Mr. Merrill, house file number 317, a bill for an act to legalize the corporate acts of the town of McGregor, which was read a first and second time and passed on file.

By Mr. Bowdoin, house file number 318, a joint resolution for increased mail facilities from St. Charles City, via Rockford, in Floyd county, to Mason City and Clear Lake City in Cerro Gordo county, and thence to Algona in Kossuth county, which was read a first and second time and passed on file.

By Mr. Bereman, house file number 319, a bill for an act to provide for the preservation of Reports ordered printed by the Legislature, which was read a first and second time and passed on file.

BILLS ON FIRST AND SECOND READING.

Senate file number 165, a bill for an act securing liens to mechanics, laborers and others, which was read a first and second time, and referred to committee on judiciary.

Senate file number 78, a bill for an act to amend an act entitled

an act for the government of the state university of Iowa, passed by the Board of Education, and approved December 24th, 1858, which was read a first and second time and referred to committee on schools and state university.

Senate file number 170, a bill for an act to legalize certain bonds heretofore issued by the county of Story, which was read a first and second time.

Senate file number 166, a bill for an act declaratory of the meaning of an act entitled an act for extending the time of completion of 75 miles of road by the Dubuque & Pacific railroad company, approved March 7, 1860, which was read a first and second time, and passed on file.

Senate file number 37, a bill for an act entitled an act for the disposition of saline funds, which was read a first and second time and referred to committee on Schools and State University.

Senate file number 56, a bill for an act authorizing the county judge of Appanoose county to appropriate a portion of the proceeds of the swamp land fund for the erection of a court house, which was read a first and second time and passed on file.

Message from the Senate by Mr. Sanders, Secretary.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills in which the concurrence of the house is asked.

Senate file number 173, an act for the suppression of intemperance, and to regulate the sale of malt, spirituous and vinous liquors in the State of Iowa, also,

Senate file number 191, an act to authorize the Register of the State Land office to convey the title and issue the Patents for certain university lands, also,

Senate file number 189, joint resolution for additional mail facilities, also,

Senate file number 195, an act to authorize the county judge of Tama county to pay the claim of W. H. Stivers, also, J

House file number 283, an act to legalize the acts of H. B. Horton as Notary Public, the same having passed the Senate without amendment.

I also return house file number 141, an act legalizing the acts of the county judge of Scott county in purchasing real estate for a poor house farm, and in issuing bonds in payment therefor, the Senate having passed the same with the following amendment: strike out the word "weekly" before "Iowa State Register" in the last section, in which the concurrence of the house is asked.

Also senate file number 180, an act for the relief of John J. Bell, a defaulting school fund commissioner and the sureties on his official bond, also,

Senate file number 34, an act to amend chapter 43 of the code of 1851, also,

Senate file number 186, an act to prevent diseased animals from running at large.

I also return house file number 222, an act for the encouragement of Teachers' Institutes, also,

House file number 87, an act to prevent larceny of personal property, taken on legal process, also,

House file number 262, an act for the relief of Benjamin Keller, Jr., Michael Hennelly and Wm. Thrift.

J. H. SANDERS, Sec'y of Senate.

Senate file number 61, a bill for an act repealing part of chapter 188 of the laws of the 6th General Assembly, which was read a first and second time, and passed on file.

Senate file number 62, a bill for an act making appropriations for selecting swamp lands, which was read a first and second time, and referred to a select committee consisting of Messrs. Cowing, Shipman and Hall.

Senate file number 138, a bill for an act to legalize the acts of Chas. A. Bannan as Notary Public, which was read a first and second time, and passed on file.

Substitute senate file number 140, a bill for an act providing for the election of and defining the duties of Supreme Court Reporter which was read a first and second time, and passed on the file.

Senate substitute for house file number 139, a joint resolution for additional mail facilities, which was read a first and second time, and passed on file.

Senate file number 159, a bill for an act to carry into effect the provisions of section 5, of chapter 21 of the acts of the 7th General Assembly, and amendatory thereto, which was read a first and second time, and referred to committee on judiciary,

Senate file number 151, a bill for an act repealing a part of section number 28, of chapter 159 of the acts of the Seventh General Assembly A. D. 1858, which was read a first and second time, and referred to committee on election.

Senate file number 177, a bill for an act to legalize the levy of taxes in the county of Grundy, and the delivery of the tax list, to the treasurer of said county, which was read a first and second time, and passed on file.

Senate file number 168, a bill for an act authorizing the county judge of Warren county to pay money to school districts numbers 3 and 8, in Jefferson township, which was read a first and second time, and passed on file.

Senate file number 171, a joint resolution for increased mail facilities, which was read a first and second time, and passed on file.

Senate substitute for house file number 84, a bill for an act to restrain and prevent the issue of county bonds, was read a first and second time, and ordered to be read a third time to-morrow.

REPORTS OF COMMITTEES.

Mr. Caldwell, from committee on judiciary, submitted the following reports:

The judiciary committee, to whom was referred house file number 74, an act for the relief of Marshall county, have had the same under consideration, and have instructed me to report the same back, and recommend that it be indefinitely postponed.

CALDWELL, Chairman.

Which report was received.

The judiciary committee to whom was referred house file number 285, an act to authorize change of venue in certain cases, have had the same under consideration, and have instructed me to report the same back and recommend that it do pass.

CALDWELL, Chairman.

Which report was received and the bill passed on file.

The judiciary committee to whom was referred senate file number 101, an act rendering valid the service of original notices, in certain actions, have had the same under consideration and have instructed me to report the same back, and recommend its passage.

CALDWELL.

Which report was received and the bill placed on file.

The judiciary committee to whom was referred house file number 10, an act providing for auditors, and house file number 121, an act to repeal section 1 of chapter 112 of the laws of 1853, show that the subject matter of both of said bills is embraced in the code of civil practice passed at this session, and the committee therefore recommend that said bills be indefinitely postponed.

CALDWELL, Chairman.

Which report was concurred in.

The judiciary committee to whom was referred house file number 214, an act to regulate jury fees in cases of change of venue, have had the same under consideration, and have instructed me to report the same back and recommend that it be indefinitely postponed.

CALDWELL, Chairman.

Which report and bill were laid on the table.

The judiciary committee to whom was referred house file number 292, an act to legalize the taxes levied in Howard county for the year 1859, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

CALDWELL, Chairman.

Which report was received and the bill placed on file.

The judiciary committee to whom was referred the petition of citizens of the town of New Ireland, praying for an act donating to the citizens of said town, the public square to be used by them for such public purpose as they may determine, have had the same under consideration, and have instructed me to report the same back and say that in the opinion of the committee it is not in the

power of the General Assembly to grant the prayer of the petitioners.

CALDWELL, Chairman.

Which report was concurred in.

The judiciary committee, to whom was referred house file 299, an act to prevent and punish trespass upon agricultural lands, gardens, and orchards, have had the same under consideration. The proposed act provides that persons who refuse or are unable to pay judgments obtained against them for trespass, shall be imprisoned. Your committee entertain the opinion that the barbarous practice of imprisoning for debt, ought not to be revived in this State, and they therefore recommend that the bill be indefinitely postponed.

CALDWELL, Ch'n.

Which was concurred in

The judiciary committee, to whom was referred house file number 133, an act to prevent the taking of usurious interest, have had the same under consideration, and a majority of said committee have instructed me to report the accompanying substitute therefor, and recommend the passage of the substitute.

CALDWELL, Ch'n.

Which report was concurred in, and the substitute placed on file.

The judiciary committee, to whom was referred house file number 284, an act to amend section 101 of chapter 8 of the Code of civil practice of the State of Iowa, have had the same under consideration, and have instructed me to report the same back and recommend that it be indefinitely postponed.

CALDWELL, Ch'n.

Which report was concurred in.

The judiciary committee, to whom was referred the memorial of George D. Croswaite, and others, praying for a special act authorizing said Croswaite to sell and dispose of certain real estate held in trust by said Croswaite for certain minors, have had the same under consideration, and have instructed me to report the same back, and recommend that the prayer of said memorial be not granted.

CALDWELL, Ch'm.

Which report was concurred in.

The judiciary committee, to whom was referred house file number 212, an act to aid judgment creditors in the collection of judgments, have had the same under consideration, and find the substance of said act embraced in the Code of Civil Practice passed at this session, and they therefore recommend that said bill be indefinitely postponed.

CALDWELL, Ch'm.

Which report was received.

Mr. Caldwell, from the judiciary committee, reported back house file number 227, being a bill for an act relating to bridging the Mississippi river, without any recommendation, and the bill was passed on file.

Mr. Hall, from the judiciary committee, reported back house file number 120, a bill to amend sections 10 and 11, of chapter 102, of the acts of the 7th General Assembly, an act entitled "an act providing for the election of District Attorneys, prescribing their duties, and fixing their compensation," without any recommendation, and the bill was passed on file.

Mr. Clark, of Johnson, from the judiciary committee, reported back substitute for house file number 194, an act to legalize the levy of a tax for a school house in Forest City township district, in Howard county, and recommend its passage; which report was concurred in, and the bill passed on file.

Mr. Hall, from the judiciary committee, reported back senate file number 116, a bill for an act to submit to arbitration or reference, the claims and defences of the State of Iowa and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads, without any recommendation; which report was received, and the bill passed on file.

The following communication was taken from the Speaker's desk:

PELLA, March 20th, 1860.

The Hon. Clerk of the House of Representatives:

DEAR SIR:—To-day I have received from the binder, 500 messages of the Governor, which I send with the stage, to your order. The balance, with the Inaugural, will be sent as soon as I receive the same. Mr. Bennett can at least now console himself that the translation and printing is effected.

I would have come personally, this week, but I am detained at home by sickness.

Respectfully Yours,
HENRY P. SCHOLTE.

Which was laid on the table.

Mr. Bowdoin, from committee on schools and State University, submitted the following reports:

The committee on schools and State University, to whom was referred house file 290, a bill for an act appropriating the Saline lands and funds to the State University of Iowa, respectfully report the same back to the House, with a recommendation in favor of its passage, on condition that no other or further appropriation shall be made to said University at this session of the Assembly.

The committee further recommend that another section be added to the bill, providing that some portion of the proceeds of the sale of said lands, not exceeding ten thousand dollars, may be applied to the completion of the University, and the buildings connected therewith.

The committee also report back the resolution of the board of trustees of the State University, transmitted to the Assembly

through his Excellency, the Governor, and referred to the committee, asking for the same grant embraced in the bill.

In behalf of the committee.

E. G. Bowdoin, Chairman.

The committee on schools and State University, to whom was referred house file 211, a substitute for sections 3, 4 and 5, of "an act to confer certain powers on towns and cities for school purposes," respectfully report that they do not deem it advisable to make the changes therein contemplated, at the present session of the Assembly.

E. G. Bowdoin, Chairman.

Which was concurred in, and the bill laid on the table.

The committee on schools and State University, to whom was referred house file 243, a bill for an act to legalize the acts of the sub-districts and township district of Columbia township, in Tama county, have considered the same, and report that, in their opinion, no further legislation in the premises is necessary; and accordingly recommend that the bill do not pass.

E. G. Bowdoin, Chairman.

Report concurred in.

The committee on schools and State University, to whom was referred the petition of the board of directors of Queen City township district, in Adams county, asking for an act legalizing the levying of a tax for school house purposes in one of the sub-districts of said township, have considered the same, and are of opinion that the object sought can be better obtained by the levying of a new tax, and accordingly recommend that further consideration of the petition be indefinitely postponed.

E. G. Bowdoin.

Which report was concurred in.

The committee on schools and State University, to whom was referred the petition of the executive board of the Central University of Iowa, at Pella, asking for the passage of an act authorizing said University to borrow ten thousand dollars from the school fund of the State, have carefully considered the subject matter of said petition, and from inquiries, are satisfied that there are not now on hand, or in immediate prospect, any moneys subject to loan. The committee are further of opinion, that an act authorizing such a loan would be of very doubtful expediency, both individually, and as a precedent; and therefore recommend that the prayer of the petition be not granted.

In behalf of the committee.

E. G. Bowdoin, Chairman.

All of which was concurred in.

Mr. Gue, from committee on agriculture, submitted the following reports: The committee on agriculture, to whom was referred house files numbers 76 and 191, in relation to the estray law, have

had the same under consideration, and have directed me to report the following substitute, and recommend its passage.

B. F. GUE, Chairman.

Which was read first and second time, and passed on file.

The committee on agriculture, to whom was referred senate file number 54, have had the same under consideration, and recommend its passage.

B. F. GUE, Ch'm.

Which was read first and second time, and passed on file.

The committee on agriculture, to whom was referred several resolutions and petitions in favor of a law exempting a certain amount of improvement on farming lands from taxation, ask leave to submit the following report:

After a full and careful examination of the subject, we are of the opinion that the prayer of the petitioners should be granted, for the following among other reasons:

We hold it to be the highest duty of every government, to provide for the protection and general prosperity of its own citizens.

It is a well known fact that, under the present system of the sale of the public lands by the general government, a very large share of the lands within our State have been bought up by non-resident speculators and foreign land companies, none of whom have any interest in common with our own citizens. They have heard of the unsurpassed fertility of our soil; of the ease with which our vast prairies can be brought under cultivation; and knowing from our geographical position, situated, as we are, between two of the greatest rivers on the continent, that we are destined, in time, to have one of the most desirable and richest agricultural States in the Union. Foreseeing these great advantages possessed by our State, shrewd speculators have invested millions of dollars in buying up our cheap lands; and they are now holding them in nearly every neighborhood in the State, thus preventing the immigration and settlement of thousands of good citizens who would otherwise make their homes among us, and assist in improving, settling and enriching our new State.

The class of people who generally come to our State to seek homes, are possessed of limited means, and after paying for their land, they have but little left, besides their own industry, to make the necessary improvements, such as bringing their farms under cultivation, erecting the necessary fences to secure their crops, and buildings to shelter their families. Every dollar of their hard earnings invested in these absolute necessities of life, is taxed for public improvements and the support of government. Your committee cannot believe that it is either justice or good policy thus to throw the heavy burden of taxation upon the hard earnings of the actual settler, who has by years of industry, amid the hardships, dangers and privations which always attend the life of the pioneer, been enabled to gather around him some of the comforts of civilized life. Every dollar that he has thus expended adds to

the value of the land of the speculator. The erection of school houses and public buildings, making roads and building bridges, must, to a great extent, be done by the settler; and for this purpose he must pay a tax upon his house and barn, fences and other necessary improvements, which are every year decreasing in value, and will soon require another heavy outlay for repairs and rebuilding.

Your committee believe that justice and sound policy demand that every protection should be thrown around our own citizens, and that all proper inducements should be extended to emigrants to settle up our wild lands. We are of the opinion that one of the most effective means of accomplishing this desirable object, would be to assess lands according to their value, and not with reference to the amount of improvements made upon them. The first course would discriminate in favor of our own citizens, while the present policy is altogether in favor of the speculator, encouraging him to let his lands lay wild, thus retarding settlement and improvement by levying a direct tax upon every dollar so invested.

We would therefore recommend that the homestead, to the value of \$500, be exempt from taxation, believing that no policy that can be adopted will do more to attract thousands of industrious and enterprising emigrants, who every year come west to seek homes, to settle in our own State, to improve our wild lands, to help support our schools, and assist in securing the thousand advantages which compact settlements alone can acquire.

Your committee would therefore recommend the passage of the bill reported by the select committee, providing that the homestead, to the value of \$500, shall be exempt from taxation.

B. F. GUE, Chairman.

Which report was ordered to be laid on the table.

Mr. Sabin from committee on public lands, submitted the following reports:

Your committee to whom was referred house file number 110, have had the same under consideration and report the same back and recommend that the same be referred to the committee on the Des Moines Improvement.

SABIN.

Your committee on public lands would respectfully report that they have had under consideration house file number 6, and request that it be referred to the committee on railroads.

SABIN.

Which reports were concurred in.

Also, house file number 44, and recommend it do not pass.

SABIN.

Also, house file number 70, and recommend its passage.

SABIN.

Which report was received.

Also, house file number 9, that it be indefinitely postponed, as there is a bill before the house embracing the same provisions.

SABIN.

Which was received, and the bill laid on the table.

Mr. Stanton from minority of the committee on disposing of the lands resumed by the State from the Central Air Line Company, submitted the following report :

The undersigned members of the committee on public lands, not concurring in the report or bill presented by said committee to dispose of lands resumed by the State, beg leave to present the following reasons for dissenting: First, it is thought by us to be due to the people living near the forty second parallel, for the lands to be given to a company who will build a road on or near said parallel; Secondly, if said lands are diverted from said line, that there are other roads that ought to be included with McGregor, in the diversion or disposition of said lands.

M. STANTON,
JAMES QUINN.

On motion of Mr. Caldwell, all bills on file, relating to swamp lands, were referred to a select committee.

The chair appointed as such committee, Messrs. Hall, Sabin, Peet, Rees and Rosenkrans.

Mr. Curtis, from judiciary committee, submitted the following report :

The judiciary committee to whom was referred house file number 286, a bill for an act in regard to swamp land pre-emptions, have had the same under consideration, and have instructed me to report the same back with the following amendments :

1st—Insert in the first section after the word “days,” “in some newspaper published in their counties respectively, if there be one; if not, by posting up written notices at the usual place of holding elections in each township therein.

2d—Strike out the second section, and insert in lieu thereof the following: Sec. 2. That in all cases where the proper county authorities have determined upon disposing of the swamp lands within their limits respectively, it shall be the duty of the county judge of the proper county upon the payment of the purchase money agreeably to the terms fixed by said county authorities, to deed in fee to the purchaser, whether he be a pre-emptor or other purchaser, provided said lands have been certified to the State of Iowa by the United States, and said deed when so executed, shall convey all the title of the State to said land, and vest the same in the purchaser.

3d—Add the following as section 4: Sec. 4. All acts and parts of acts contravening the provisions of this act, are hereby repealed

4th—Change section 4 to section 5; and with these amendments recommend the passage of the bill.

CURTIS.

The judiciary committee, to whom was referred a resolution instructing an enquiry into what legislation if any, is necessary to insure a more prompt and speedy publication and distribution of the Session Laws, Journals, &c., &c., as are ordered published

and circulated within the several counties of this State, and also the communications of the Secretary of State, State Printer and State Binder, on the same subject, have had the same under consideration, and have instructed the undersigned to report by the accompanying bill.

I. C. CURTIS.

Which report was received, and the bill being house file number 320, a bill for an act to insure a more prompt and speedy publication and distribution of the session laws and other public documents, was read a first and second time, and passed on file.

The judiciary committee, to whom was referred house file number 138, a bill for an act in relation to trials in criminal cases, have had the same under consideration, and have instructed the undersigned to report the same back without amendment or recommendation.

I. C. CURTIS.

Which report was received and the bill therein named was passed on file.

The judiciary committee to whom was referred a resolution instructing an enquiry into the expediency of so amending the law as to require plaintiffs to give security for costs at the commencement of actions, have had the same under consideration, and have instructed the undersigned to report that all the legislation necessary on the subject, is contained in the code of civil and criminal practice, passed at the present session of the General Assembly.

I. C. CURTIS.

Which report was concurred in.

Mr. Caldwell, from committee on judiciary, submitted the following reports :

The judiciary committee, to whom was referred house file number 275, an act amendatory of chapter 102 of the acts of the seventh General Assembly, have had the same under consideration, and have instructed me to report the same back, and recommend that it be indefinitely postponed.

CALDWELL, Chairman.

Which report was concurred in.

The judiciary committee, to whom was referred house file number 296, an act to provide the members and officers of the General Assembly with stationery, have had the same under consideration, and, in view of the great diversity of opinion on the subject matter of the bill and the time its discussion would likely consume, have instructed me to report the same back and recommend that said bill be indefinitely postponed.

CALDWELL, Ch'n.

Which report was concurred in.

The judiciary committee, to whom was referred the petition of D. Harper and others, praying for an act to change the name of the town of "Winfield" to that of "Harper's Ferry," have had the same under consideration, and have instructed me to report that the prayer of said petitioners be not granted.

CALDWELL, Ch'n.

Which report was concurred in.

The special committee to whom was referred the report of the Secretary of the Board of Education in relation to text books now most generally used in our public schools also the petition of the Board of Directors of the Capital School District of Des Moines City, also a bill entitled an act to amend an act to provide for the election and define the duties of the Secretary of the Board of Education, have directed me to report the accompanying bill.

S. GOODRELL, Ch'n.

Which report was received, and the bill referred to being house file number 321, a bill for an act relating to text books to be used in the schools of this State, was read a first and second time, and passed on file.

Mr. Shipman, from the committee on new counties, submitted the following report:

The committee on new counties to whom was referred numerous petitions and remonstrances in relation to the formation of a new county to be formed from territory in Clinton, Jackson, Jones and Cedar counties, would respectfully report that no action in the premises is necessary, other than by bill now in the hands of the judiciary committee, in relation to change of county boundaries, and we would ask that all the papers in the case be referred to the judiciary committee.

GEO. C. SHIPMAN.

The select committee to whom was referred the act in relation to the levee on Muscatine Island, and providing for the election of levee commissioner, beg leave to report the same back to the house with the following amendment.

GEO. C. SHIPMAN.

Sec. 3. This act to take effect from and after its publication in the Muscatine Journal, Wapello Republican and Iowa State Register, or either one of them without expense to the State.

Which report was received and the bill passed on file.

Mr. Clark of Johnson, from select committee, reported back house file number 188, an act providing for valuation and appraisement of property taken by virtue of execution, with recommendation to lay the bill on the table.

Also, house file number 189, an act in relation to executions and orders of sale, without any recommendation, which reports were adopted.

PETITIONS.

Mr. Claggett presented the petition of certain citizens of Henry county, praying for exemption from taxation in certain property employed in manufacturing, which was referred to committee on ways and means.

By leave, Mr. Paulk offered the following resolution:

Resolved, That a committee of three be appointed to draft and

report such act or acts as are necessary to conform previously existing laws to those which may have been passed at this session, and such supplemental acts as may be needed to carry out the legislation of this session, and to report at as early a day as practicable, which was adopted.

Messrs. Paulk, Blackford and Davis of Johnson were appointed said committee.

Mr. Millard introduced house file number 322, a joint resolution for additional mail facilities from Knoxville, Marion county, to Winterset in Madison county, which was read a first and second time and passed on file.

Mr. Davis, of Johnson, presented the petition of citizens of Jasper county, asking the repeal of all laws prohibiting hogs and stock from running at large; which was referred to committee on agriculture.

Mr. Conner presented a petition of citizens of Page county, praying that Amity College Association be released from a contract for the purchase of school lands in said county. Also, suggestions of the Secretary of the Board of Education; which were referred to committee on public lands.

Substitute for Senate file number 34, an act to amend chapter 43 of the Code of Iowa of 1851; which was read a first and second time, and passed on file.

Senate file number 186, an act to prevent diseased animals from running at large; was read a first and second time and passed on file.

Senate file number 191, a bill for an act to authorise the Register of the State land office to convey the title and issue patents for certain University lands; was read a first and second time, and passed on file.

Senate file number 195, a bill for an act to authorise the County Judge of Tama county to pay the claims of W. H. Stivers.

Senate file number 180, a bill for the relief of John J. Bell, a defaulting school fund commissioner, and the sureties upon his official bonds; was read a first and second time and passed on file.

House file number 151, an act to amend an act to provide for levying a tax on certain lands to complete and keep in repair a levee on Muscatine Island, &c. The question being upon the amendment made by the select committee, as follows:

Section 3. This act to take effect from and after its publication in the Muscatine Journal and Wapello Republican and Iowa State Register, or either of them, without expense to the State; which amendment was concurred in and the bill passed on file.

Senate file number 189, joint resolution for additional mail facilities, was taken up, read a first and second time and passed on file.

Senate file number 173, a bill for an act for the suppression of intemperance and to regulate the sale of malt, spirituous and

vinous liquors in the State of Iowa, was taken up, read a first and second time and placed on file.

^ BILLS ON SECOND READING.

House file number 237, a bill for an act to release taxes assessed against property destroyed by fire or other casualties; was read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Claggett, Conner, Cottell, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hunt, LeLacheur, Mangold, McCullough of Jackson, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Reed, Rees, Riddle, Rosenkrans, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—56.

The nays were—None.

Absent or not voting—Bracewell, Campbell, Clark of Jefferson, Clark of Des Moines, Cowing, Davis of Johnson, Gillett, Gurley, Hedges, Hoag, Hotchkiss, Jennings, Jones, Kellogg, Lambert, Lynch, Macomber, McCullough of Lee, Mitchell, Noble, Price of Lee, Price of Muscatine, Quinn, Robinson, Robb, Ruddick, Taylor, Withrow, and Wright.

The bill was passed and the title agreed to.

Mr. Bremner, by leave, introduced house file number 323, an act authorising magistrates to employ council in certain cases; which was read a first and second time and referred to judiciary committee.

Senate file number 56, an act authorizing the county judge of Appanoose county to appropriate a portion of the proceeds of the swamp land fund to the erection of a court house, was taken up, read a second time, the rule suspended, the bill read a third time, and ordered to a third reading to-morrow.

Senate file number 138, an act to legalise the acts of Charles A. Bannon as Notary Public, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Conner, Cottell, Crawford, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hunt, LeLacheur, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Peet, Riddle, Rosenkrans, Sabin, Ship-

man, Stanton, Streeter, Tompkins, Whitaker, Williams, Williamson of Warren, Witter and Mr. Speaker—44.

The nays were—Messrs. Bereman, Claggett, Curtis, Dunlavey, Ellis, Gniffke, McCullough of Jackson, Paulk, Reed, Rees, Williamson of Louisa—11.

Absent or not voting—Messrs. Bracewell, Campbell, Clark of Jefferson, Clark of Des Moines, Cowing, Davis of Johnson, Gillett, Gurley, Hedges, Hoag, Hotchkiss, Jennings, Jones, Kellogg, Lambert, Lynch, Macomber, McCullough of Lee, Mitchell, Noble, Price of Lee, Price of Muscatine, Quinn, Robinson, Robb, Rudick, Stevens, Taylor, Withrow, and Wright.

The bill was passed and the title agreed to.

Committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled, viz:

House file number 291, an act limiting the powers and defining the duties of county judges in certain cases.

House file number 279, an act to amend an act fixing the times of holding Courts in the Eleventh Judicial District.

House file number 53, an act making appropriations to meet the expenses of the Deaf and Dumb Asylum.

House file number 232, an act for the relief of Michael Sweeney and others.

House file number 30, an act to legalize the elections of the president and town council, and other officers of Chariton, Lucas county, and the official acts of the same.

Substitute for house file number 192, an act legalizing the official acts of the city council of Maquoketa and the election of the mayor of said city.

House file number 81, an act relating to incest.

J. W. DENNISON.

Senate file number 168, a bill for an act authorizing the county judge of Warren county to pay money to school districts numbers three and eight, in Jefferson township, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Béal, Barnes, Bemis, Bowdoin, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Claggett, Conner, Oettell, Crawford, Curtis, Darling, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hunt, LeLacheur, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Rees, Riddle, Rosenkrans, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—49.

The nays were—Messrs. Bereman, Doggett, Gniffke, McCullough of Jackson, Paulk, Reed, Stevens—7.

Absent or not voting—Bracewell, Campbell, Clark of Jefferson, Clark of Des Moines, Cowing, Davis of Johnson, Gillett, Gurley, Hedges, Hoag, Hotchkiss, Jennings, Jones, Kellogg, Lambert, Lynch, Macomber, McCullough of Lee, Mitchell, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Robinson, Robb, Ruddick, Taylor, Withrow, and Wright.

The bill was passed and title agreed to.

Mr. Williamson moved to suspend the rule and send the bill to the Senate to-morrow. Carried.

On motion of Mr. Clark, of Johnson, house file number 307, a bill for an act in relation to the records of original title of lots in Iowa City, was ordered to a third reading to-morrow.

Mr. Shipman, by leave, offered the following resolution:

Resolved, That the hour to which this House shall stand adjourned from day to day, shall be 8½ o'clock A. M., 2 o'clock P. M., and 7½ o'clock P. M., unless otherwise ordered by the House.

Which was laid over under the rule.

Mr. Ellis moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Thursday, March 22d, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Summerbell.

On motion of Mr. Baker, the reading of the Journal was dispensed with.

BILLS ON SECOND READING.

House file number 152, a bill for an act making provisions for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Improvement as School Lands, was read a second time, when Mr. Rees offered the following amendments:

Fill the blank in section 6 with 1. In the first line of section 7, add the letter "s" to commissioner, and strike out the words "appointed by the Governor." In the second line of same section, after the word for, strike out "his" and insert "their." Fill the blank in fourth line of same section with the figure "5."

Which were concurred in.

The bill was ordered to be engrossed and read a third time to-morrow.

REPORTS OF COMMITTEES.

Mr. Cowing, from the committee on engrossed bills, submitted the following report:

The committee on engrossed bills beg leave to report that they have examined house file number 266, a bill for an act to carry into execution the trusts conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a railroad from Lyons City across the State of Iowa, and near the forty-second parallel to the Missouri River, and have found the same correctly engrossed.

House file number 312, a bill for an act to legalize the official acts of W. R. Brown, a Notary Public in Des Moines county, Iowa, was read a second time, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hunt, Jennings, Kellogg, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Streetter, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—56.

The nays were—Messrs. Bereman, Claggett, Cottell, Doggett, Dennison, Dunlavey, Ellis, Gniffke, Hotchkiss, LeLacheur, Lynch, Reed, Riddle, Stevens, Whitaker, Williamson of Louisa.—16.

Absent or not voting—Bemis, Curtis, Gurley, Jones, Lambert, Macomber, McCullough of Jackson, McCullough of Lee, Noble, Price of Lee, Quinn, Rees, Ruddick, and Wright.

The bill was passed and title agreed to.

House file number 300, a bill for an act in relation to persons Insane and providing for the relinquishment of dower of married women who are insane, was read a second time the rule was suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Lynch, Mangold, McCullough of Jackson, McQuinn, Millard, Merrill, Moser, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton,

Stevens, Streeter, Taylor, Tompkins, Whitaker, Withrow, Witter, and Mr. Speaker—65.

The nays were—Messrs. Beal, Clark of Johnson, Dennison, Glasgow, Mitchell, Morehead, Price of Muscatine, Ruddick, Williams, Williamson of Louisa—10.

Absent or not voting—Curtis, Gurley, Jones, Kellogg, Lambert, Macomber, McCullough of Lee, Noble, Price of Lee, Williamson of Warren, and Wright.

The bill was passed, and the title agreed to.

Mr. Claggett moved to reconsider the vote just taken, and that it be laid over till to-morrow.

Mr. Bennett moved a reconsideration of the vote taken upon the passage of house file 233. Carried.

Mr. Peet moved that the bill be recommitted to a select committee. Carried.

The chair appointed Messrs. Peet, Ruddick, Paulk, Dunlavey and Gue.

House file number 138, a bill for an act in relation to trials in criminal cases, was read a second time, and on motion was indefinitely postponed.

Senate file number 116, a bill for an act to submit to arbitrations the claims and defences of the State of Iowa and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads, was read a second time, and, on motion, was made the special order for Saturday, 1st, in com. of the whole.

Substitute for house file number 50, a bill for an act to amend an act entitled an act to provide for the making and repairing of public highways, and prescribing the duties of township officers in certain cases, approved March 23, A. D. 1858, was read a second time, and after sundry amendments were offered, the bill and amendments were referred to committee on agriculture.

House file number 159, a bill for an act to prevent fraudulent incumbrances, transfers and conveyances of property, was read a second time, and on motion of Mr. Caldwell, was indefinitely postponed.

Mr. Streeter from committee on roads and highways, requested that the petitions, &c., in his hands, be transferred to committee on agriculture. Granted.

House file number 139, a bill for an act entitled an act to legalize the official acts of the city of Clinton, Clinton county, State of Iowa, was read a second time. On motion the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of D. Moines, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Hedges,

Harris, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—68.

The nays were—Messrs. Bereman, Clark of Jefferson, Claggett, Haskall, Lynch—5.

Absent or not voting—Beal, Barnes, Bremner, Cartis, Jones, Macomber, McCullough of Jackson, McCullough of Lee, Noble, Price of Lee, Sabin, Tompkins, Wright.

The bill was passed and title agreed to.

Senate file number 166, a bill for an act declaratory of the meaning of an act entitled an act for extending the time of completion of 75 miles of road by the Dubuque and Pacific Railroad company, approved March 7, 1860, was read a second time. On motion the rule was suspended and the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Mangold, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—72.

The nays were—None.

Absent or not voting—Messrs. Bracewell, Curtis, Davis of Johnson, Jones, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Noble, Peet, Price of Lee, Sabin, Williamson of Warren and Wright.

The bill was passed and the title agreed to.

House file number 311, being house substitute for house files numbers 231, 240, 221, 241, 235, 242, 245, 265, 264, 366, and for senate files numbers 131, 125, 132, 158, 147, and 139; being memorials and joint resolutions praying for additional mail facilities, was read a second time, the rule suspended and the bill read a third time and adopted.

Senate file number 110, a bill for an act to provide for the alteration and vacation of streets and alleys in unincorporated villages, was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Mus., Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—72

The nays were—Messrs. Ellis, Lynch—2.

Absent or not voting—Messrs. Curtis, Davis of Johnson, Jones, Macomber, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Price of Lee, Sabin, Stevens, and Wright.

The bill was passed and the title agreed to.

House file number 310, a bill for an act to prevent frauds at elections, was read a second time, when Mr. Claggett moved that the bill be laid on the table and printed. Carried.

House file number 154, a bill for an act to facilitate the construction and operation of railroads, was read a second time, and on motion, indefinitely postponed.

House file number 225, a bill for an act to give greater security to venders and mortgagees of real estate, was read a second time, and Mr. Claggett moved that the bill be indefinitely postponed.

Mr. Clark, of Johnson, moved that the bill be re-committed. Lost.

The question was on the motion of Mr. Claggett, which prevailed, and the bill was indefinitely postponed.

Senate file number 75, a bill for the regulation of State and Co. roads within towns and cities, was read a first and second time, and on motion, was laid on the table.

Senate file number 105, a bill for an act to regulate and provide for the payment of jury fees, was read a second time, and after sundry amendments being offered, was, on motion of Mr. Claggett, re-committed to the select committee on fee bill.

On motion of Mr. Withrow, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

The following communication from Mr. Sells, was taken from the Speaker's desk:

OFFICE OF SECRETARY OF STATE OF IOWA, }
Des Moines, Feb. 20th, 1860. }

HON. JOHN EDWARDS,

Speaker of the House of Representatives:

SIR:—In compliance with the following resolution:

“Resolved, That the Secretary of State be required to communicate to the House, the number of copies of each volume of G. Greene's Reports taken by the State, the amount paid therefor, the date of the payment, the date of the publication of each volume, and the number now remaining in the possession of the State.”

I have the honor to inform the House of Representatives that the first volume of Greene's Reports was published in 1849. The Governor subscribed for one hundred and fifty copies of this volume, as he was authorized to do by the provisions of chapter 26 of the laws of 1846. The Auditor's books show that the Reporter received, on the 17th day of January, 1850, a warrant for \$750.00, which was in payment of this subscription. The Legislature, by joint resolution, approved January 13, 1851, authorized the Governor “to subscribe for and take two hundred and fifty (250) *additional* copies” of the same volume, “at \$5 per copy.” On the day this resolution was approved, the Reporter received a warrant for \$1,250, which I am informed was for the two hundred and fifty copies of the first volume subscribed for pursuant to this resolution. This makes an aggregate of four hundred copies of the first volume taken by the State, for which the sum of two thousand dollars was paid.

The second volume was published in 1852. I am informed that the Governor subscribed one hundred and fifty copies, under the provision of the law of 1846, and on the first of October, 1852, the Auditor issued his warrant in payment therefor, for the sum of \$750.

The first and second volumes were the only ones published by G. Greene, under the law of 1846.

By the act approved January 25th, 1855, the Governor was authorized to subscribe for two hundred copies of each volume thereafter published, at \$5 per copy. G. Greene published no volume under this law. Chapter 108 of the laws of 1855–6, amended this law so as to read “400 copies of each volume,” in place of 200 copies of each volume. In 1857, G. Greene published the third volume of his reports, in the preface of which he assigns the following reason for not publishing sooner:

“The delay in the publication of this volume may need explanation. As the Reporter lost money by the publication of his second volume, he decided not to publish another until more adequate remuneration should be provided by law. That was done by the last General Assembly, and hereafter it is to be hoped that the reports of the Supreme Court will appear more regularly.”

“This volume will soon be followed by a fourth, which will

comprise all the opinions anterior to those so promptly published by W. Penn Clarke, Esq."

On the 25th of August, 1857, he delivered 400 copies of this volume to the State, for which he received a warrant for \$2000.

In 1858 he published the fourth volume alluded to in the preface to his third volume.

In the month of December, in that year, he delivered 376 copies to the State, for which he received a warrant for \$1880. He subsequently delivered 24 additional copies, for which he received a warrant for \$120. This makes an aggregate of \$6,750 paid for the four volumes.

The number now remaining in the possession of the State, is:

Volume 1—Twenty copies.

Volume 2—None.

Volume 3—Thirty-five copies.

Volume 4—Forty-five copies.

Respectfully submitted,

ELIJAH SELLS, Sec'y of State

Which, on motion, was laid on the table.

By leave, Mr. Baker offered the following resolution:

Resolved, That a session of the House be held this evening at 7 o'clock, at which there may be considered: 1st—The reception and reference of petitions, remonstrances and memorials. 2d—The presentation and reference of bills and resolutions. 3d—The consideration of messages from the Senate, and the first and second reading of bills accompanying and the reference thereof. 4th—The passage of bills; when objection is made by five members, the bill shall not be further considered. 5th—The reception of reports.

Which was adopted.

The following resolution was introduced by Mr. Bennett on yesterday:

Resolved, That the Governor of the State be requested to inform this House at what time the commissioners to investigate the several State offices were appointed, and whether said commissioners are continued in office, and are now acting under appointment in pursuance of an act approved March 23d, 1858, creating such commissioners, and if said commissioners have, since the first appointment, been re-appointed; if so, the time of said re appointment.

Which was adopted.

Mr. Baker moved that the rule be suspended, and the Railroad bill, house file number 266, be read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Olaggett, Conner, Cottell, Cowing, Crawford, Curtis, Dog-

gett, Darling, Davis of Jasper, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lynch, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rees, Rosenkrans, Robb, Shipman, Tompkins, Whitaker, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—55.

The nays were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Clark of Jefferson, Dunlavey, Gniffke, Haskall, Jennings, LeLacheur, Mangold, Paulk, Peet, Reed, Riddle, Robinson, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Williams, Williamson of Louisa—24.

Absent or not voting—Messrs. Davis of Johnson, Lambert, Macomber, McCullough of Jackson, McCullough of Lee, Noble, Price of Lee.

The bill passed and the title was agreed to.

On motion of Mr. Baker, the rule was suspended, and all bills passed ordered to be sent to the Senate.

By leave, Mr. Curtis, from committee appointed to investigate the affairs of the State Penitentiary, submitted the report of said committee.

Mr. LeLacheur moved that the report be laid on the table and printed, together with the depositions, &c.

Mr. Paulk moved to amend by saying 5,000.

Mr. LeLacheur moved to amend the amendment by making the number 10,000. Lost.

The question then recurred upon the amendment of Mr. Paulk, which was adopted, and the motion, as amended, was adopted.

Senate file number 113, a bill for an act to legalize the city elections in the city of Glenwood, was read a second time, the rule was suspended, the bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—70.

The nays were—Messrs. Ellis, Lynch, Reed, Stevens—4.

Absent or not voting—Bereman, Bennett, Clark of Jefferson, Doggett, Ellis, Davis of Johnson, Jennings, Macomber, McCullough of Jackson, McCullough of Lee, Noble, Price of Lee.

The bill was passed and the title agreed to.

Substitute for house file number 277, a bill for an act to legalize the levy of a school house tax in the several sub-districts of the district township of Jefferson, Poweshiek county, Iowa, was read a second time, and on motion of Mr. Cowing, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter—68.

The nays were—Messrs. Ellis, Lynch, Stevens—3.

Absent or not voting—Messrs. Barnes, Bemis, Bremner, Doggett, Davis of Johnson, Jennings, Macomber, McCullough of Jackson, McCullough of Lee, Noble, Peet, Price of Lee, Quinn, Wright, and Mr. Speaker.

The bill was passed and the title agreed to.

Senate file number 129, a bill for an act for the relief of all persons heretofore divorced since the 4th day of July, 1858, was read a second time, the amendments concurred in, and Mr. Claggett moved that the rule be suspended, and the bill read a third time now.

Mr. Williams moved that the bill be indefinitely postponed. Lost.

The rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Barnes, Bowdoin, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Ellis, Gillett, Gniffke, Goodrell, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McQuinn, Millard, Morehead, Moser, Peet, Price of Muscatine, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stevens, Taylor, Tompkins, Whitaker, Williamson of Warren—52.

The nays were—Messrs. Baker, Bereman, Bracewell, Bennett, Blackford, Bremner, Cottell, Cowing, Dunlavey, Glasgow, Gue, Gurley, Haskell, Mitchell, Merrill, Parker, Paulk, Quinn, Rees, Robb, Stanton, Streeter, Williams, Williamson of Louisa, Withrow, Witter, Wright—25.

Absent or not voting—Messrs. Bemis, Davis of Johnson, Jennings, Macomber, McCullough of Jackson, McCullough of Lee, Noble, Price of Lee, and Mr. Speaker.

The bill was passed and the title agreed to.

Messages from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills in which the concurrence of the house is asked :

Senate file number 96, an act to amend an act entitled a bill to prevent trespass or waste on swamp or other lands in the State of Iowa, and for other purposes, approved Jan. 25th, 1855.

Also, senate file number 204, an act respecting the taking effect of the law of 1858, entitled "an act respecting aliens," approved March 15th, 1858.

I also present for your signature, senate file number 76, the same having passed both Houses of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

By leave, Mr. Gurley introduced house file number 325, a bill for an act making appropriations for the pay of State officers, and other purposes, and defining the duties of State officers in certain cases; was read a first and second time, and passed on file.

On motion, the House adjourned.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Robb, from committee on public library, submitted a report, together with a resolution by Mr. Baker, when Mr. Kellogg moved that the report, with the resolution, be referred to the committee on ways and means, with instructions to report by bill, joint resolution, or otherwise.

Mr. Olaggett moved to amend by instructing said committee to inquire into the expediency of requiring the State Librarian to be accountable for all books lost from the library, and requiring said librarian to take semi-annual inventories of all books in the library; which was adopted.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked :

Senate file number 6, substitute for house file number 150, an act to provide for the appraisement of property sold under execution.

Senate file number 187, an act to quit claim to the holders of certificates for the purchase of swamp lands sold by county judges.

Senate file number 144, an act requiring complete reports from officers in charge of State buildings and State institutions.

Senate file number 150, an act to amend an act entitled an act to provide for an annual appropriation for the benefit of a State Historical Society, approved Jan. 28th, 1857.

Senate file No. 197, an act regulating the payment of expenses on requisitions for fugitives from justice.

J. H. SANDERS, Sec'y Senate.

RESOLUTIONS.

Mr. Clark, of Johnson, offered the following resolution:

Resolved, That the committee on ways and means be instructed to inquire into the expediency of purchasing the law library of Mr. J. Grant, for the use of the State, and to report by bill or otherwise.

Which was referred to committee on ways and means.

Mr. Bereman offered the following resolution:

Resolved, That the committee on library be instructed to report what security the State has against loss by fire, and to report by bill or otherwise for the insurance of the library and other property of the State, if deemed necessary.

Which was referred to committee on public buildings.

Mr. Peet offered the following resolutions:

Resolved, That the committee on incorporations be instructed to inquire into the expediency of a law authorizing the formation of independent fire companies, and of giving them power to purchase, hold, and convey property for their use, as such fire companies, and to report by bill or otherwise.

Resolved, That the committee on schools and State University be instructed to inquire into the expediency of creating an officer to take charge of the school fund of the State, and to report by bill or otherwise.

Which were adopted.

BILLS INTRODUCED.

By Mr. Kellogg: house file number 326, a bill for an act in relation to the assessing of real estate for taxation; which was read a first and second time and referred to committee on ways and means.

By Mr. Jennings: house file number 327, a bill for an act to cede jurisdiction over certain lots, the property of the U. S., in the city of Dubuque; which was read a first and second time, and referred to committee on judiciary.

By Mr. Mitchell: house file number 328, a bill for an act relating to the city of Eddyville; which was read a first and second time, and referred to committee on judiciary.

Mr. Ellis offered the following resolution:

Resolved, By the House of Representatives, that from and after Saturday, the 24th day of March, 1860, there shall be no new bills, resolutions or other new business received in this House during the present session, unless by unanimous consent of said House.

Which, on motion, was laid on the table.

BILLS ON FIRST READING.

Senate file number 6, a bill for an act to provide for the appraisement of property sold under execution, which was read a first and second time, and referred to committee on appraisement laws.

Senate file number 197, a bill for an act regulating the payment of expenses on requisitions for fugitives from justice, which was read a first and second time, and referred to the committee on ways and means.

Sub. for senate file number 150, a bill to amend an act to provide for an annual appropriation for the benefit of a State Historical Society, approved January 28, 1857, which was read a first and second time, and referred to committee on ways and means.

Senate file number 144, a bill for an act requiring complete reports from officers in charge of State Buildings and State Institutions, which was read a first and second time, the amendments concurred in. On motion, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Cottell, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Ellis, Glasgow, Gniffke, Hall, Haskell, Harris, Hoag, Jennings, Lynch, Mangold, McCullough of Jackson, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Parker, Paulk, Peet, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Stanton, Stevens, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—50.

The nays were—Mr. Streeter.

Absent or not voting—Messrs. Beal, Barnes, Bereman, Bennett, Clark of Jefferson, Conner, Cowing, Dennison, Dunlavey, Gillett, Goodrell, Gue, Gurley, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Lee, McQuinn, Price of Lee, Price of Muscatine, Quinn, Robb, Sabin, Shipman, Taylor, Whitaker, Withrow, and Wright.

The bill was passed, and the title agreed to.

Senate file number 187, a bill for an act to quit claim to the holders of certificates for the purchase of swamp land sold by Co. Judges, which was read a first and second time, and referred to committee on swamp lands, of whom Mr. Hall is chairman.

REPORTS OF COMMITTEES.

The committee on schools and state university to whom was referred house file number 299, a bill for an act to create the office of commissioner of the school and university fund, and defining the duties of such officer, have had the same under consideration, and report the same back to the house and recommend its passage.

E. G. BOWDOIN, Ch'n.

Mr. Claggett moved to lay the bill on the table, and print.—
Carried.

The judiciary committee to whom was referred house file number 323, an act authorizing magistrates to employ counsel in certain cases, have had the same under consideration, and have instructed me to report the same back, and recommend that it be indefinitely postponed.

CALDWELL, Chairman.

Which report was concurred in.

The judiciary committee to whom was referred senate file number 159, an act to carry into effect the provision of section 5, of chapter 21 of the acts of the seventh General Assembly, and amendatory thereto, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

CALDWELL, Ch'n.

Which report was received and the bill therein named was passed on file.

The judiciary committee, to whom was referred senate file number 140, an act providing for the election of and defining the duties of Supreme Court Reporter, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

CALDWELL, Chairman.

By Mr. Claggett, house file number 329, a joint resolution in relation to Messrs. Sanders, of Mount Pleasant, &c., which was read a first and second time, and referred to the Insane Asylum committee.

By Mr. Ruddick, house file number 330, an act fixing the times of holding courts in the tenth judicial district, and to repeal a part of chapter 150 of the acts of the seventh General Assembly, which was read a first and second time and passed on file.

Mr. Mitchell, from the committee on the Des Moines River Improvement, submitted the following report:

MR. SPEAKER, The committee on the Des Moines River Improvement to whom was referred house file number 110, a bill for the relief of Charles Morrow, have had the same under consideration, and ask leave to report that the State has no title or claim in and to the lands described in the bill, and recommend that the bill be indefinitely postponed.

MITCHELL, Ch'n.

Which report was concurred in.

Mr. Baker from the select committee on printing, submitted a report, which, on motion of Mr. Clark of Johnson, was laid on the table till the other members of the committee report.

By Mr. Robinson, house file number 331, a bill for an act authorizing owners of land subject to overflow on the Iowa or Mississippi bottom, in Des Moines and Louisa counties, to raise a tax on such lands for the purpose of repairing, continuing and extending the levee now commenced to prevent such overflow, which was read a first and second time, and referred to the delegation from Louisa and Des Moines counties.

Mr. Caldwell moved that when this house adjourns, it adjourn till 8½ o'clock. Carried.

On motion, the house adjourned.

HALL OF REPRESENTATIVES, }
Friday, March 23, 1860. }

House met pursuant to adjournment.

On motion of Mr. Gue, the reading of the journal was dispensed with.

BILLS ON FIRST AND SECOND READING.

Senate file number 61, a bill for an act amending an act in relation to revenues, passed at the seventh General Assembly of the State of Iowa, approved March 23, 1858, was read a first and second time, and referred to committee on agriculture.

House file number 322, a joint resolution for additional mail facilities, was read a third time and adopted.

By leave, Mr. Taylor offered the following resolution :

Resolved, That a committee of three be appointed to compare and arrange the acts of the present session, so far as may be, and that they be required to make such alterations and amendments as they may deem necessary to ensure harmony in their operation, and report such amendments, if any, to this house for its action, and that Mr. Curtis be chairman of said committee ; which,

On motion of Mr. Jennings, was laid on the table.

House file number 292, an act to legalize the taxes levied in Howard county, for the year 1859; was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, Lynch, Macomber, McCullough of Jackson, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Wright and Mr. Speaker—66.

The nays were—Messrs. Clark of Jefferson, Dunlavey, Ellis, Mangold, Stevens—5.

Absent or not voting—Messrs. Bereman, Bremner, Dennison, Gurley, Jones, Kellogg, McQuinn, McCullough of Lee, Noble, Peet, Price of Lee, Rees, Rosenkrans, Withrow, Witter.

The bill was passed and the title agreed to.

House file number 317, a bill for an act to legalize the corporate acts of the town of McGregor, was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Gue, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Robb, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—66.

The nays were—Messrs. Bereman, Clark of Jefferson, Dunlavey, Ellis, Rosenkrans, Stevens—6.

Absent or not voting—Goodrell, Gurley, Hedges, Jones, Macomber, McCullough of Lee, McQuinn, Noble, Peet, Price of Lee, Rees, Sabin, Williams, and Wright.

The bill was passed, and the title agreed to.

House file number 228, a bill for an act legalizing certain bonds issued by the city of Camanche, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Gniffke, Goodrell, Gue, Hall,

Haskall, Harris, Hedges, Hotchkiss, Hunt, Kellogg, LeLacheur, Mangold, McQuinn, Millard, Mitchell, Merrill, Moser, Parker, Paulk, Price of Muscatine, Quinn, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Williamson of Warren, Withrow, and Mr. Speaker—51.

The nays were—Messrs. Beal, Bereman, Blackford, Bremner, Caldwell, Clark of Jefferson, Darling, Dunlavey, Ellis, Glasgow, Lambert, Lynch, McCullough of Jackson, Morehead, Reed, Stevens, Whitaker, Williamson of Louisa.—16.

Absent or not voting—Blackford, Bremner, Claggett, Gillett, Gurley, Hoag, Jennings, Jones, Macomber, McCullough of Lee, Noble, Peet, Price of Lee, Rees, Taylor, Tompkins, Williams, Witter, and Wright.

The bill was passed and title agreed to.

House file number 230, a bill for an act relating to the publication of ordinances and other acts of city government, was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—73.

The nays were—Messrs. Ellis, McCullough of Jackson—2.

Absent or not voting—Claggett, Gillett, Gurley, Hoag, Macomber, McCullough of Lee, Noble, Peet, Price of Lee, Williams, and Wright.

Message from the Senate:

MR. SPEAKER:—I herewith return house file number 229, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed Senate file number 205, an act regulating the compensation of county judges, in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

Substitute for house file number 29, a bill for an act to regulate the interest on money, and punish usury.

Mr. Williams offered the following substitute:

Section 1. *Be it enacted by the General Assembly of the State of Iowa, That chapter 57 of the Code of 1851, be and is hereby*

revived, and that all acts and parts of acts inconsistent with said chapter 57 of the Code, are hereby repealed.

Mr. Wright offered the following amendment, by adding in third line after the word "revived," "but no judgment or decree shall draw more than ten per cent interest." Lost.

The question then recurred upon the adoption of Mr. Williams' substitute, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bowdoin, Blackford, Bremner, Clark of Johnson, Cottell, Gillett, Gniffke, Macomber, Mangold, Paulk, Peet, Rees, Riddle, Robb, Stevens, Streeter, Taylor, Whitaker, Williams, Williamson of Warren, Wright—22.

The nays were—Messrs. Beal, Barnes, Bemis, Bereman, Bracewell, Bennett, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—60.

Absent or not voting—Curtis, McCullough of Lee, Noble, Price of Lee.

The substitute was lost.

Mr. Merrill offered the following amendment to the bill: After the second word "receive," in the third line of section 9, add the words, "who shall pay for the use of money." Lost.

Mr. Rees offered the following amendment to section 9:

Provided, In a criminal prosecution, no person who has agreed to pay usurious interest, shall be allowed to be used as a witness, or allowed to give testimony in any prosecution where such person has been a party. Lost.

Mr. Gue moved that the rule be suspended and the bill read a third time. Carried. And upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Barnes, Bemis, Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Parker, Paulk, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—60.

The nays were—Messrs. Baker, Bereman, Bowdoin, Blackford,

Bremner, Dennison, Gillett, Gniffke, Goodrell, Gurley, Mangold, Merrill, Moser, Peet, Rees, Riddle, Robb, Taylor, Whitaker, Williams, Williamson of Warren, Wright—22.

Absent or not voting—Messrs. Curtis, McCullough of Lee, Noble, Price of Lee.

The bill was passed and the title agreed to.

On motion, the rule was suspended and all bills passed sent to the Senate.

REPORTS.

Mr. Cowing, from committee on engrossed bills, submitted the following report :

The committee on engrossed bills beg leave to report that they have examined house file number 152, a bill for an act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Improvement grant, as School Lands, and have found the same correctly engrossed.

The select committee, to whom was referred senate file number 62, a bill for an act making appropriations for selecting swamp lands, have had the same under consideration, and have instructed me to report the same back to the House without amendment, and recommend its passage.

A. M. COWING, Chairman.

Which report was received.

House file number 259, an act to authorize the Des Moines Navigation and Railroad Company, to create and issue preferred stock, and for other purposes, was read a second time and the amendments of the judiciary committee concurred in, and on motion of Mr. Beal, laid on the table.

House file number 158, a bill for an act entitled an act to define the powers and duties of county surveyors.

Mr. Jennings moved to strike out section 2. Adopted.

Mr. Bremner moved to add section 21 of the Code. Carried.

On motion of Mr. Jennings, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

By leave, Mr. Mangold introduced house file number 332, a bill for an act of incorporation of Dubuque Lodge number 127, I. O. O. F., was read a first and second time and referred to the committee on judiciary.

By leave, Mr. Jones presented three petitions from citizens of Madison and Warren county, asking for a Constitution for a Soci

ety, to be known by the name of "The Madison County Independent Horse Protecting Company;" was referred to the committee on judiciary.

By leave, Mr. Goodrell introduced the following resolution, which was adopted:

Resolved, That the rule requiring all bills to lay over one day before they are reported to the Senate, be and the same is hereby suspended for the remainder of the session.

House file number 158, was then taken up and read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, Millard, Moser, Peet, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, and Mr. Speaker—60.

The nays were—Messrs. Bowdoin, Bennett, Clark of Jefferson, Cowing, Kellogg, Parker, Riddle, Robb, Whitaker, Witter—10.

Absent or not voting—Curtis, Dennison, Gurley, Jennings, Kellogg, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Noble, Paulk, Price of Lee, Robinson, Stevens, and Wright.

The bill was passed and title agreed to.

The following resolution of Mr. Shipman, laid over under the rule, was taken up:

Resolved, That the hour to which this House shall stand adjourned from day to day, shall be 8½ o'clock A. M., 2 o'clock P. M., and 7½ o'clock P. M., unless otherwise ordered by the House.

Mr. Kellogg moved to amend by striking out "7½ o'clock, P. M." Carried.

The resolution, as amended, was adopted.

Mr. Baker moved that when this House adjourns it adjourn till 7 o'clock P. M. Carried.

House file number 290, a bill for an act appropriating the Saline Lands and funds to the State University; was read a second time, when Mr. Kellogg offered the following amendment: That the Saline Lands now unsold, or any moneys now due or unpaid to the Saline fund from the citizens of any county, be and are hereby appropriated to the use of Schools in said counties from which said sums may be now or hereafter become due, and to be appropriated as may be deemed best by the board of Supervisors. Lost.

Mr. Clark, of Johnson, offered the following amendment to section 1:

Provided, That the board of trustees of said University, be, and they are hereby authorized to expend out of the proceeds of said lands, a sum not exceeding five thousand dollars in completing and finishing for use the building erected for a boarding house, under the provisions of chapter 41 of the acts of the seventh General Assembly, and a further sum of not exceeding five thousand dollars, in repairing and refitting the main building of said University, and in the purchase of necessary apparatus for instruction in said institution.

Which was adopted.

Mr. Kellogg offered the following substitute:

Sec. 1. That the Saline Lands and funds, now undisposed of, be and are hereby appropriated for the support of a branch University, to be located in Decatur county, Iowa, at such place as may be selected by locating commissioners, as hereinafter provided.

Sec. 2. The Governor of this State shall appoint three locating commissioners, who shall select within one year after the passage of this act, a suitable site in said Decatur county, for the erection of convenient buildings for the carrying out of the provisions of this act.

Sec. 3. It shall be competent for the electors of Decatur county, at any general election, to elect a board of directors, whose duty it shall be to superintend the erection of suitable buildings and make such general provisions as will look to the speedy creation of a branch of the State University.

Lost.

Mr. Williams moved that the rule be suspended and the bill read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Cottell, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gue, Hall, Hoag, Hunt, Lambert, Macomber, McQuinn, Millard, Mitchell, Merrill, Paulk, Peet, Price of Muscatine, Quinn, Rees, Robinson, Robb, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Withrow, Witter, Wright, and Mr. Speaker—49.

The nays were—Messrs. Beal, Bracewell, Bennett, Campbell, Conner, Cowing, Doggett, Darling, Gillett, Glasgow, Haskell, Harris, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Lynch, Mangold, McCullough of Jackson, Morehead, Moser, Parker, Reed, Riddle, Rosenkrans, Ruddick, Stanton, Stevens, Whitaker, Williamson of Louisa—31.

Absent or not voting—Curtis, Gurley, Hedges, McCullough of Lee, Noble, Williamson of Warren.

The bill was passed and the title agreed to.

Senate file number 62, a bill for an act making appropriations for selecting swamp lands, was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Hedges, Hoag, Hunt, Jennings, Lambert, LeLacheur, Macomber, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker—61.

The nays were—Messrs. Beal, Bereman, Bennett, Clark of Des Moines, Gillett, Kellogg, Lynch, McCullough of Jackson, Riddle, Ruddick, Whitaker, Williams—12.

Absent or not voting—Campbell, Curtis, Dennison, Gurley, Harris, Hotchkiss, McCullough of Lee, Mitchell, Noble, Robinson, Stevens, Taylor, and Wright.

The bill was passed and the title agreed to.

House file number 297, a bill for an act to legalize the issuing of the bonds of Lee county, for the building of a court house in said county, was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Bennett, Blackford, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Gue, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, LeLacheur, Macomber, McQuinn, Millard, Mitchell, Moser, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—60.

The nays were—Messrs. Barnes, Bowdoin, Caldwell, Cowing, Jennings, Kellogg, Lynch, McCullough of Jackson, Morehead, Stanton, Wright—11.

Absent or not voting—Bemis, Bremner, Curtis, Gillett, Goodrell, Gurley, Haskell, Lambert, Mangold, McCullough of Lee, Merrill, Noble, Parker, Stevens, Whitaker.

The bill was passed and the title agreed to.

House file number 325, a bill for an act making appropriations

for the pay of State officers, and other purposes, and defining the duties of State officers in certain cases, was read a second time, and on motion of Mr Claggett, was laid on the table and ordered printed.

Senate file number 14, a bill for an act authorizing the county judge and county treasurer to sell saline lands, was read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bowdoin, Bracewell, Bennett, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson; Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavy, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Lee, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright—71.

The nays were—None.

Absent or not voting—Bemis, Blackford, Campbell, Crawford, Gurley, Hoag, Jones, Kellogg, LeLacheur, McCullough of Lee, Noble, Peet, Price of Muscatine, Robb, and Mr. Speaker.

The bill was passed and the title agreed to.

House file number 330, an act fixing the times of holding courts in the tenth judicial district, and to repeal a part of chapter 150 of the acts of the 7th General Assembly, was read a second time, and laid on the table.

House file number 172, a bill for an act to amend section 417 of the Code, was read a second time, and on motion of Mr. Baker, indefinitely postponed.

On motion, the House adjourned.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Moser offered the following resolution, which was adopted:

Resolved, That the Secretary of State is hereby instructed to furnish J. H. Williamson Supreme Court Reports, in place of those that were abstracted from the judiciary committee room.

By leave, Mr. Hall introduced house file number 333, substitute for house files numbers 70, 329, 44, 302, 218 and 303, a bill for an act exempting lands owned by the University funds from sale for taxes; was read a first and second time, and on motion, the rule

was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Davis of Johnson, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, Mangold, McCullough of Jackson, Millard, Mitchell, Merrill, Morehead, Moser, Peet, Price of Lee, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright—51.

The nays were—Messrs. Barnes, Bennett, Rees, Stevens, Whitaker, Wright—6.

Absent or not voting—Messrs. Beal, Campbell, Clark of Des Moines, Claggett, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Ellis, Harris, Hedges, Jones, LeLacheur, Lynch, Macomber, McCullough of Lee, McQuinn, Noble, Parker, Paulk, Price of Muscatine, Robinson, Shipman, Taylor, Williamson of Warren, and Mr. Speaker.

The bill was passed and the title agreed to.

By Mr. Hall: house file number 334, a bill for an act regulating and authorizing the sale of swamp lands, and disposing of the proceeds thereof; which was read a first and second time, and on motion of Mr. Robb, the bill was passed on file.

House file number 286, a bill for an act in regard to swamp land pre-emptions, was reported back to committee, by Mr. Hall, with recommendation that it pass.

Which was read a first and second time, and on motion, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Claggett, Conner, Cottell, Cowing, Davis of Johnson, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Sabin, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Mr. Speaker—50

The nays were—Messrs. Beal, Bennett, Clark of Jefferson, Kellogg, Lambert, Paulk, Ruddick, Streeter, Wright—9.

Absent or not voting—Messrs. Barnes, Bemis, Campbell, Clark of Johnson, Clark of Des Moines, Crawford, Curtis, Doggett, Darling, Davis of Jas., Dennison, Ellis, Gurley, Harris, Jones, Lynch, Macomber, McCullough of Lee, Merrill, Noble, Parker, Price of Muscatine, Robinson, Shipman, Stanton, Stevens, and Williamson of Warren.

The bill was passed and the title agreed to.

Mr. Hall reported back house file 234, a bill for an act securing liens to mechanics and others, and recommended its passage.

The bill was passed on file.

Senate file number 180, a bill for an act for the relief of John J. Bell, a defaulting school fund commissioner, and the sureties on his official bond, was read a second time, and referred to committee on judiciary.

By Mr. Gurley: house file 335, a bill for an act in relation to revenue; was read a first and second time, and on motion, was laid on the table and printed.

REPORTS.

Mr. Gurley, from committee on ways and means, to whom was referred a resolution concerning the fees of certain officers, reported the same back, and asked its reference to committee on fee bill.

Also, house file number 180, a bill for an act to exempt certain property from taxation, with a recommendation that it do not pass.

Also, house file number 206, a bill for an act to exempt the homestead from taxation for State and county purposes, with a recommendation that it do not pass.

Also, house file number 144, a bill for an act providing for the payment of taxes at the capital of the State, and to punish offences in connection therewith, with a recommendation that it do not pass.

Also, house file number 255, a bill for an act to amend section 16, of chapter 158, of the 7th General Assembly, and for the relief of persons having paid the penalty therein mentioned, with the recommendation that it do not pass. All of which reports were concurred in.

By Mr. Gurley: house file number 336, a bill for an act providing for the management of the school fund, and the sale of the school lands; was read a first and second time, and ordered to be laid on the table and printed.

Mr. Riddle moved a reconsideration of the vote taken upon the passage of house file number 286. Carried.

Mr. Hall moved that house files numbers 187 and 286 be referred to a select committee. Carried.

The chair appointed Messrs. Riddle, Robb, Williamson of Louisa, Paulk and Stevens that committee.

REPORTS.

Mr. Caldwell submitted the following reports:

The judiciary committee, to whom was referred house file number 327, an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque, have had the same

under consideration, and have instructed me to report the same back, and recommend its passage. CALDWELL, Ch'm.

The bill was read a second time, when Mr. Paulk moved to strike out the third section, which was adopted; and on motion, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Davis of Johnson, Dunlavey, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskell, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Mangold, McCullough of Jackson, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—65.

The nays were—None.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Curtis, Doggett, Darling, Davis of Jasper, Dennison, Ellis, Goodrell, Harris, Hedges, Jones, Lynch, Macomber, McCullough of Lee, Mitchell, Noble, Peet, Price of Lee, Robinson and Shipman.

The bill was passed and the title agreed to.

The judiciary committee, to whom was referred house file number 332, an act for the incorporation of Dubuque Lodge, No. 127, I. O. O. F., have had the same under consideration, and have instructed me to report the same back, and recommend that it be indefinitely postponed, for the reason that the General Assembly has no power, under the Constitution, to pass a special act of incorporation. Ample facilities are afforded under general laws now in force, for the incorporation of such societies and associations.

CALDWELL, Chairman.

Which report was concurred in.

The committee on enrolled bills ask leave to report that they have handed to the Governor, for his signature, the following bills, viz: House file number 274, an act to amend an act fixing the times of holding courts in the eleventh judicial district.

House file number 53, an act making appropriations to meet the expenses of the Deaf and Dumb Asylum.

House file number 30, an act to legalize the election of the President and town council, and other officers of Chariton, Lucas Co., and the official acts of the same.

Substitute for house file number 192, an act legalizing the official acts of the city council of Maquoketa, and the election of the mayor of said city.

House file number 291, an act limiting the powers and defining the duties of county judges, in certain cases.

House file number 232, an act for the relief of Michael Sweeney and others.

House file number 31, an act relating to incest.

They have examined the following bills, and find the same correctly enrolled, viz:

House file number 262, an act for the relief of Benjamin Keeller, Jr., Michael Hennelly and Wm. Thrift.

House file number 283, an act to legalize the acts of H. B. Horton, a Notary Public in Clinton county, Iowa.

House file number 229, an act making provision for the payment of the salary of the Commissioner of the Des Moines River Improvement, and requiring the Keokuk, Ft. Des Moines & Minnesota Railroad Company to pay the amount of said salary into the State Treasury.

House file number 222, an act for the encouragement of Teachers' Institutes.

House file number 87, an act to prevent larceny of personal property taken on legal process.

House file number 141, an act for legalizing the acts of the Co. Judge of Scott county, in purchasing real estate for a poor-house farm, and in issuing bonds in payment therefor.

J. W. DENNISON, Chairman.

Mr. Gurley, from the committee on ways and means, submitted the following reports: The committee on ways and means, to whom was referred house file number 267, a bill for an act to encourage manufactures in the State of Iowa, have had the same under consideration, and have directed me to report it back to the House, and recommend its passage.

GURLEY, Chairman.

Which report was received, and the bill passed on file.

The committee on ways and means, to whom was referred senate file number 150, a bill to amend an act entitled an act to provide for an annual appropriation for the benefit of a State Historical Society, approved Jan. 28th, 1857, have had the same under consideration, and have directed me to report it back to the house, and recommend its passage.

GURLEY, Chairman.

Which report was concurred in, and the bill passed on file.

The committee on ways and means, to whom was referred senate file number 24, a bill for an act to enforce the collection of taxes for the year 1858, have had the same under consideration, and have directed me to report it back to the House, and recommend its passage.

GURLEY, Chairman.

Which report was received, and the bill passed on the file.

Mr. Gurley, from the committee on ways and means, reported back the following bills, and recommended their passage:

House file number 123, a bill for an act in relation to county treasurers, and their deputies.

House file number 197, a bill for an act regulating the payment

of expenses on requisitions for fugitives from justice.

House file number 48, a bill for an act to amend Sec. 16, Chap. 154, of the acts of 1858, restricting the powers of township trustees; which reports were received, and the bills passed on file.

Mr. Lambert presented the petition of citizens of Dallas county, asking that stock be prevented from running at large; which was referred to the committee on agriculture.

Mr. Williams, from the judiciary committee, submitted the following report:

The judiciary committee, to whom was referred house file number 304, have had the same under consideration, and instruct me to report the same back, with the recommendation that it pass.

JAMES H. WILLIAMS.

Which report was received, and the bill passed on file.

Mr. Gillett, from the committee on county and township organization, submitted the following report: The committee to whom was referred various petitions and resolutions in relation to county government, have requested me to report the same back, provision having been made to meet the wants of said petitioners by reports of bills, &c.

C. GILLETT, Chairman.

Which report was received.

The committee to whom was referred house file number 266, an act to amend chapter 157 of the laws of the 7th General Assembly, have had the same under consideration, and have requested me to report the same back, and recommend its passage.

C. GILLETT, Chairman.

Which report was received, and the bill passed on file.

The committee to whom was referred house file number 107, a bill to legalize the organization of Hartland township, have had the same under consideration, and request me to report the same back, and recommend its passage.

C. GILLETT, Ch'm.

Which report was received, and the bill passed on file.

The committee to whom was referred a petition of N. A. Chestnutwood, and 192 others, for the repeal of chapter 193, of the 6th General Assembly, have had the same under consideration, and have requested me to report the same back, with request that it be referred to committee on agriculture.

C. GILLETT, Ch'm.

Which report was concurred in.

The committee to whom was referred house file number 261, have had the same under consideration, and have requested me to report the same back, and recommend its passage.

C. GILLETT, Chairman.

Which report was received, and the bill passed on file.

The committee to whom was referred petition of D. McNeil, and others, have had the same under consideration, and have requested me to report the same back, and recommend that it be not granted.

C. GILLETT, Chairman.

Which report was concurred in.

Mr. Gue, from the committee on agriculture, submitted the following report: The committee on agriculture have had under consideration substitute for house file number 50, with the various amendments and substitutes, and have directed me to report the following substitute, and recommend its passage.

B. F. GUE, Chairman.

Which report was received, and the bill passed on file.

Mr. Claggett, from the select committee on house file number 305, submitted the following report: The select committee to whom was referred a bill to regulate the trial of cases for the foreclosure of mortgages on real estate have had the same under consideration, and report the same back without amendment, and recommend its passage. Which report was received, and the bill passed on file.

Mr. Paulk, from the select committee on senate file number 105, submitted the following report:

The select committee, to whom was referred senate file 105, have had the same under consideration, and recommend the following amendment:

After the words "shall pay," in the second section, add the following, "a jury fee of — dollars, in case said trial shall last not more than one day, and in case said trial shall last more than one day, then an additional fee of three dollars for each and every day said trial shall last more than one day, said fees." Add as section 3, the following:

Section 3. The fees thus collected and paid into the county treasury, shall be kept by the treasurer as a separate fund, and applied solely to the payment of jurors.

Also, strike out section 4.

The committee also recommend the following substitute for section 11:

Section 11. Whenever a county warrant exceeds the amount of the tax on which the same may be applied, the collector shall endorse on such warrant, the amount of the tax paid thereby, the date of such payment and the name of the person whose tax was paid thereby. He shall, at the same time, give in the name of the person so paying his tax, a receipt for said warrant, stating the date and amount of said warrant, the amount endorsed, and the balance due thereon; which receipt shall, on presentment to the county treasurer, entitle the holder to a new warrant for such balance. On settlement with the treasurer, said collector shall be credited only with the amount endorsed on said warrant.

The committee also recommend that the amendments made in committee of the whole, making township clerk township collector, be stricken out and the bill, in that respect, be restored to its original form; which report was received and the bill passed on file.

Mr. Bowdoin introduced house file number 337, joint resolu-

tion for a grant of land from the General Government to the McGregor, St. Peters and Missouri River Railroad Company; which was read a first and second time, the rule suspended, the bill read a third time and passed.

Mr. Paulk introduced house file number 338, a bill to amend chapter 29, section 327 of the Code in relation to constables bonds; which was read a first and second time, and passed on file.

Mr. Gurley introduced house file number 339, an act prescribing the duties of county treasurers in certain cases, and to amend an act entitled an act to provide for the making and repairing of public highways, and prescribing the duties of township officers in certain cases, approved March 23, 1858; which was read a first and second time, and referred to the committee on county and township organization.

BILLS ON SECOND READING.

House file number 285, an act to authorize change of venue in certain case, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Olaggett, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, Lynch, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—65.

The nays were—Messrs. Wright—1.

Absent or not voting—Messrs. Bowdoin, Campbell, Clark of Des Moines, Doggett, Darling, Davis of Jasper, Ellis, Harris, Hedges, Jones, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Price of Lee, Reed, Shipman, and Stevens.

The bill was passed and title agreed to.

Mr. Wright, by leave, introduced house file number 340, a bill for an act to repeal chapter forty-three of the acts of the first General Assembly, which was read a first and second time and passed on file.

Senate file number 107, a bill to legalize the organization of Hartland township, in Worth county, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Kellogg, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Rees, Riddle, Robinson, Robb, Ruddick, Sabin, Stanton, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—52.

The nays were—Messrs. Bereman, Caldwell, Curtis, Lambert, Lynch, Quinn, Rosenkrans, Stevens, Streeter, Whitaker, Wright—11.

Absent or not voting—Campbell, Clark of Des Moines, Doggett, Darling, Davis of Jasper, Ellis, Gurley, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Price of Lee, Reed, Shipman, and Williams.

The bill was passed and title agreed to.

Mr. Robinson, from the special committee on house file 331, submitted the following report :

The special committee, composed of the delegations from Des Moines and Louisa counties, to whom was referred house file number 331, have had the same under consideration, and beg leave to report the same back to the house and recommend its passage.

The report was received, the bill taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Jennings, Kellogg, Lambert, Lynch, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—61.

The nays were—Mr. Gniffke—1.

Absent or not voting—Messrs. Bereman, Campbell, Clark of Des Moines, Doggett, Darling, Davis of Jasper, Ellis, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Price of Lee, Price of Muscatine, Reed, Shipman, and Taylor.

The bill passed and the title was agreed to.

Mr. Baker moved to adjourn. Lost.

House file 307, a bill for an act in relation to the records of original title of lots in Iowa City, was read a second time, and on motion, the rule was suspended, and the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Jennings, Kellogg, Lambert, Lynch, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—62.

The nays were—None.

Absent or not voting—Campbell, Clark of Des Moines, Doggett, Darling, Davis of Jasper, Ellis, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, LeLacheur, Macomber, McCullough of Lee, McCullough of Jackson, Mitchell, Noble, Reed, Riddle, Shipman, Taylor, and Whitaker.

The bill was passed and the title agreed to.

Mr. Jennings moved a call of the House; pending which, Mr. Williams moved that further proceedings under the call be dispensed with. Carried.

Mr. Baker moved that the House adjourn. Carried.

HALL OF REPRESENTATIVES, }
Saturday, March 24th, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Summerbell.

On motion of Mr. Bowdoin, the reading of the Journal was dispensed with.

By leave, Mr. Shipman offered the following resolution :

Resolved, That the Secretary of State be instructed to have 5000 copies of the Supervisor bill printed for the use of the Legislature.

Mr. Bennett moved to lay the resolution on the table. Lost.

The resolution was adopted.

BILLS ON SECOND READING.

House file 322, a joint resolution for additional mail facilities, was read a second time, and on motion, was laid on the table.

Senate file number 190, a joint resolution for additional mail facilities, was read a second time, the rule suspended, the resolution read a third time and adopted.

House file number 248, a bill for an act to amend section 1983 of chapter 114 of the Code of Iowa, was read a second time, when Mr. Claggett offered the following amendments:

Be it further enacted, That in no case for the foreclosure of mortgages or deeds of trust, in courts or otherwise, when the defendant seeks to enjoin on account of usury, or pleads usury, shall it be necessary to tender the amount due in order to have the injunction granted on his plea admitted.

And be it enacted, That in cases for the foreclosure of mortgages, and deeds of trust, when the mortgagor pleads usury and seeks to enjoin the sale on foreclosure, on account of usury, it shall not be necessary for the mortgagor to tender the actual amount due in order to avail himself of the benefit of such plea of usury.

Which was adopted.

On motion, the rule was suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bracewell, Bennett, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Hall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Kellogg, LeLacheur, Lynch, Paulk, Robinson, Rosenkrans, Stevens, Williamson of Louisa—28.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Goodrell, Haskall, Hoag, Lambert, Macomber, Mangold, McCullough of Jackson, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williams, Withrow, and Mr. Speaker—48.

Absent or not voting—Gurley, Jones, McQuinn, McCullough of Lee, Noble, Peet, Price of Lee, Williamson of Warren, Witter, and Wright.

The bill was not passed.

Messages from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate file number 183, an act for the relief of certain pre-emptors of school lands.

Senate file number 106, an act to provide for adjusting and paying costs incurred in the adjustment and collection of the School Fund.

Senate file 199, an act authorizing the construction of mill dams on the Nishnabotany river.

Senate file number 206, an act to amend chapter 188 of the acts of the sixth General Assembly.

Senate file number 212, joint resolution for additional mail facilities.

I also return the following House bills, the same having passed the Senate without amendment:

House file number 312, a bill for an act to legalize the official acts of W. B. Brown, a Notary Public in Des Moines county.

House file number 311, substitute for sundry House and Senate files, memorial and joint resolution for additional mail facilities.

House file number 99, memorial and joint resolution asking for a grant of land to aid in the construction of a railroad as herein set forth.

House file number 298, an act requiring trustees, managers and inspectors of public buildings, improvements and institutions, to take and subscribe an oath, and punishing a violation of the same.

I also return the following bills, the Senate having refused to pass the same:

House file number 38, an act to amend section 20 of an act entitled an act authorizing general banking in the State of Iowa, approved March 22d, 1858.

House file number 239, an act to allow hotel and boarding-house keepers certain liens.

J. H. SANDERS, Sec'y of Senate.

REPORTS.

The joint committee appointed to visit the Penitentiary, &c., have instructed the undersigned to report the accompanying bill for an act in relation to the government of the Penitentiary of Iowa, the appointment of its officers, fixing their salaries, and punishing malfeasance in office.

I. C. CURTIS, Ch'n.

By leave, Mr. Curtis introduced house file number 341, a bill for an act in relation to the government of the Penitentiary of Iowa, the appointment of its officers, fixing their salaries and punishing malfeasance in office, which was read a first and second time laid on the table and ordered printed.

By leave, Mr. Kellogg introduced house file number 342, a bill for an act to amend section twenty of an act authorizing General Banking in the State of Iowa, approved March 22d, 1858, was

read a second time, and on motion, the rule was suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Bremner, Caldwell, Campbell, Clark of Des Moines, Claggett, Conner, Crawford, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Macomber, McQuinn, Millard, Parker, Paulk, Price of Lee, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Taylor, Tompkins, Williams, Williamson of Louisa, Williamsen of Warren, Withrow and Mr. Speaker—52.

The nays were—Messrs. Barnes, Bemis, Bereman, Blackford, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Gillett, Glasgow, Lambert, Lynch, Mangold, McCullough of Jackson, Mitchell, Merrill, Morehead, Moser, Price of Muscatine, Reed, Ruddick, Shipman, Stanton, Stevens, Streeter.—25.

Absent or not voting—Messrs. Darling, Davis of Jasper, Gurley, McCullough of Lee, Noble, Peet, Whitaker, Witter, Wright.

The bill was passed and title agreed to.

By leave Mr. Kellogg introduced house file number 343, a bill for an act to amend section 10 of chapter 104 of the laws of the 4th General Assembly of Iowa, which was read a first and second time, when

Mr. Cowing moved that the bill be referred to the committee on agriculture. Carried.

Senate file number 159, a bill for an act to carry into effect the provisions of section 5, of chapter 21 of the acts of the seventh General Assembly, and amendatory thereto, was read a second time, and was, on motion of Mr. Hall, together with the bill regulating the fees of District Attorney, referred to a select committee consisting of Messrs. Curtis, Hall and Claggett.

The house then resolved itself into committee of the whole upon the special order, senate file number 116, a bill in relation to the securities of Jas. D. Eads.

Mr. Sabin in the chair.

The committee rose, reported progress, and asked leave to sit again at 10 o'clock Monday morning, which report was concurred in.

Mr. Mangold asked leave to withdraw house file number 332. Granted.

House file number 252, a bill for an act for the relief of James P. Brown and others, which was read a first and second time and upon motion of Mr. Bennett, was recommitted to the select committee of whom Mr. Crawford was chairman. Mr. Bereman was also added to the committee.

By leave Mr. Goodrell presented the petition of the members of the bar of Des Moines, praying the repeal of the law requiring

the printing of notices of all judicial sales, which was referred to committee on printing.

Sub. for senate file number 150, a bill for an act to amend an act to provide for an annual appropriation for the benefit of the State Historical Society, approved January 28th, 1857, was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Crawford, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Rosenkrans, Robb, Sabin, Shipman, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, and Mr. Speaker—58.

The nays were—Messrs. Beal, Barnes, Bennett, Clark of Des Moines, Campbell, Claggett, Cowing, Curtis, Doggett, Darling, Davis of Jasper, Dunlavey, Ellis, McCullough of Jackson, Mitchell, Reed, Robinson, Ruddick, Stanton, Whitaker—20.

Absent or not voting—Harris, Jones, Kellogg, Noble, Rees, Riddle, Witter, and Wright.

The bill was passed and the title agreed to.

By leave Mr. McQuinn introduced house file number 344, a bill for an act making appropriations for Blind Asylum at Vinton, which was read a first and second time and passed on file.

Mr. Bereman moved a reconsideration of the vote taken to-day upon the passage of house file number 248, which motion was, by agreement, laid over till Monday.

By leave, Mr. Dennison introduced house file number 345, a joint resolution for additional mail facilities which was read a first and second time and passed on file.

On motion, the house adjourned.

HALL OF REPRESENTATIVES,
Monday, March 26th, 1860. }

House met pursuant to adjournment.

The Journal of Saturday read and approved.

Mr. Lambert, by leave, offered the following resolution:

Resolved, That it is the sense of this house that the offices of Recorder and Treasurer be separated, and that the committee on fee bills be instructed to bring in a bill providing for the election of a Recorder at the general election, A. D. 1860, and biennially thereafter, who shall hold his office two years and until his successor is elected and qualified; and also to provide that the present incumbents hold over and discharge the duties of Treasurer until their successor are elected.

Mr. Shipman offered the following substitute:

Resolved, That it is inexpedient to separate the office of Treasurer and Recorder at this time. Lost.

The resolution was adopted.

Message from the Senate:

Mr. SPEAKER:—I am directed by the Senate to inform the house that the senate has passed the following bills, in which the concurrence of the house is asked.

Senate file number 124, an act requiring banking corporations to make quarterly statements.

Senate file number 181, an act to prevent the sale or transfer of certain swamp lands.

Senate file number 179, an act authorizing Trustees to sell lands.

Senate file number 71, an act making a further appropriation for the State Insane Asylum.

I also present for your signature, senate file number 14, an act to authorise the county judge and county treasurer to sell the saline lands, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

Mr. Taylor, by leave, offered the following resolution:

Resolved, That no new matter shall be introduced into this house for its action, after Wednesday, the 28th inst., except by unanimous consent.

Mr. Baker moved to amend by inserting "when any five members object after "inst." Carried.

Mr. Curtis moved to strike out "Wednesday," and insert "Friday." Lost.

Mr. Hall offered the following substitute:

Resolved, That a committee of five be appointed, whose duty it shall be to select from the files of the house, such important bills of a general nature that the public interests require to be passed, and that such bills shall have preference over all other business before the house. Lost.

The resolution as amended was then adopted.

Mr. Bennett, by leave, reported back from committee a substitute for house file number 52, an act for the relief of James P.

Brown and others, and recommended its passage, which report was received, and the bill placed on file.

Mr. Hall, from select committee on the Insane Asylum, submitted the following report:

The select committee, to whom was referred house file number 329, a resolution requiring the Attorney General to proceed to collect certain moneys received by A. & W. A. Sanders, as interest from the Commissioners of the Hospital for the Insane at Mt. Pleasant, and also other moneys which appear not to have been accounted for by said A. & W. A. Sanders, have had the same under consideration, and your committee recommend that the question of the liability of A. & W. A. Sanders, for the amount paid by the commissioner as interest, be referred to the judiciary committee, believing it to be purely a legal question.

As to the question of the \$2,070 30-100 warrant, mentioned in the report of the committee heretofore made to this house, your committee would again state, was issued without (as it appears from the papers in the Auditor's office, and also by the books of the Secretary of the board of commissioners) any order of the commissioners, and there is no direct evidence in any of the State offices that said money was ever paid to the treasurer of the Hospital, but your committee would state that from letters received from several parties since the above mentioned report was made it appears that the amount of said warrant was paid to the treasurer, or his agent, by the treasurer of Henry county, Iowa, a few days previous to the date of said warrant, and that the State has received credit for that amount at that time. It further appears from the books in the Auditor's office, that the treasurer of Henry county made a payment of revenue into the State Treasury on the same day of the issue and redemption of said warrant; and your committee have reason to believe that said warrant was drawn to satisfy a receipt given to the Treasurer of Henry county by the treasurer of the hospital, and was by the treasurer of Henry county paid into the State treasury as revenue, with the understanding by the hospital officers, that a like amount should be deducted from a subsequent order of the commissioners; but as several of the commissioners orders were paid directly from the State Treasury, without being audited, it is impossible for your committee to determine with certainty, whether such deduction was ever made, without a further examination of the books and papers of the hospital officers, as their reports only give the aggregate credits and not the various items; the State having received credit for the full amount of the commissioners' orders, and as your committee are satisfied that should an examination show that said deduction had not been made, but that the hospital had actually received that amount of money more than it is charged with, and that the State received credit for, that the correction will be immediately made, both on the books of the hospital, and in the auditor's office, with

out any further trouble, your committee would recommend that some person be authorized to make said examination, and if it appears that the hospital has received more money than the State has received credit for, or more than said hospital is charged with, on the auditor's books; and in this case, should the officers of the hospital refuse to make the proper corrections, then that the facts be reported to the Attorney General, and that he take such measures to collect the same, as he may think the interests of the State demand.

J. C. HALL, Ch'n.

ED. WRIGHT.

G. W. BEMIS.

The bill was referred to the judiciary committee.

Mr. Rees called up house file number 152, a bill for an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Improvement Grant, as school lands; which was read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Blackford, Bremner, Dennison, Dunlavey, Gillett, Gniffke, Goodrell, Harris, Hedges, Hotchkiss, Jennings, Kellogg, Lambert, McCullough of Lee, Millard, Mitchell, Moser, Price of Lee, Rees, Rosenkrans, Robb, Streeter, Taylor, Withrow, Witter, and Mr. Speaker—29.

The nays were—Messrs. Bowdoin, Bennett, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Olaggett, Conner, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Ellis, Glasgow, Gurley, Hall, Haskell, Hoag, Hunt, Jones, LeLacheur, Lynch, Mangold, McCullough of Jackson, McQuinn, Merrill, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Ruddick, Sabin, Shipman, Stevens, Tompkins, Whitaker, Williams, Williamson of Louisa, Wright—48.

Absent or not voting—Bereman, Bracewell, Campbell, Curtis, Gue, Macomber, Noble, Stanton, Williamson of Warren.

The bill was lost.

Message from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bill without amendment:

House file number 266, an act to carry into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a railroad from Lyons City across the State of Iowa, and near the 42d parallel, to the Missouri River.

J. H. SANDERS, Sec'y of Senate.

Mr. Withrow moved to take up substitute for Senate file number 71, a bill for an act making further appropriation for the State Insane Asylum, and make it the special order for 10 o'clock tomorrow. Which was carried.

The House then resolved itself into committee of the whole upon senate file number 116, a bill for an act to submit to arbitration or reference, the claims and the defenses of the State of Iowa, and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads.

Mr. Sabin was called to the chair, the committee rose and reported back the bill as amended, and recommended its passage; which report was concurred in, and the bill placed on file.

Mr. Bennett moved to reconsider the vote by which house file number 152 was lost, and refer the bill to a special committee, which was carried; and Chair appointed Messrs. Bennett, Hall and Rees, as such committee.

Message from the Senate:

Mr. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 214, in which the concurrence of the House is asked: J. H. SANDERS, Sec'y Senate.

The Speaker laid before the House the following communication from the Governor:

EXECUTIVE OFFICE, IOWA, }
March 26, 1860. }

Gentlemen of the House of Representatives:

I herewith transmit certain resolutions of the General Assembly of the State of Ohio, sent to me by the Governor of that State, to be laid before the General Assembly of this State.

SAMUEL J. KIRKWOOD.

“WHEREAS, The State of Ohio, with the rest of the Mississippi valley, is greatly interested in the extension of the market for those agricultural products, of which our soil can yield so vast a supply; therefore,

Resolved, (By the General Assembly of the State of Ohio,) That the President of the United States be respectfully requested to instruct our Minister at the Court of France, to use his best exertions to procure a reduction of the rates of duty now imposed by the French Government on the agricultural products of the United States, and especially of those duties now imposed upon provisions and bread stuffs.

Resolved, That two copies of these resolutions be transmitted by the Governor to the President, with a request that one of them be forwarded to the American Minister at Paris, and also send copies to the Governors of Indiana, Illinois, Missouri, Tennessee, Kentucky, Wisconsin, Iowa and Michigan, who are respectfully requested to lay them before the Legislatures of their respective States.

RICHARD C. PARSONS,
Speaker of the House of Representatives.

ROBERT O. KIRK,
President of the Senate.

COLUMBUS, Ohio, March 16, 1860.

Which resolutions were referred to the committee on federal relations, with instructions to report to-morrow.

On motion of Mr. Kellogg, the House adjourned.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Senate file number 116, a bill for an act to submit to arbitration the claims and defenses of the State of Iowa, and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads, (being the business unfinished in the forenoon) was taken up.

The question recurred upon the substitute offered by Mr. Caldwell.

Mr. Bennett demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Bemis, Bereman, Bowdoin, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Gillett, Glasgow, Gue, Gurley, Hoag, Hunt, Millard, Merrill, Morehead, Price of Muscatine, Quinn, Ruddick, Sabin, Shipman, Stanton, Streeter, Williamson of Louisa, Wright—30.

The nays were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Blackford, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Davis of Johnson, Dunlavey, Ellis, Gniffke, Goodrell, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McCullough of Lee, McQuinn, Mitchell, Paulk, Reed, Robinson, Rosenkrans, Robb, Stevens, Tompkins, Whitaker, Williams, Withrow, Witter, and Mr. Speaker—41.

Absent or not voting—Messrs. Blackford, Campbell, Dennison, Haskell, Macomber, McCullough of Jackson, Moser, Noble, Parker, Peet, Price of Lee, Rees, Riddle, Taylor, Williamson of Warren.

The substitute was not adopted.

Mr. Lynch offered the following amendment:

Third line, after the word State, insert, "in twelve years time, by paying one-fourth of the principal in four years, one-fourth in eight years, and the balance in twelve years from date of settlement, by paying ten per cent interest, payable annually, by giving securities and mortgages on real estate, as is provided for by law in loaning school money." Lost.

Mr. Paulk offered the following amendment to section 12:

Provided, That in no event or under any circumstances, shall the State be held to pay any part or portion of said costs, or of the costs or expenses growing out of said arbitration or reference,

or any proceedings under this act, directly or indirectly, unless the State shall fail to establish its claims, or some part thereof.

Which was carried.

Mr. Bennett moved to suspend the rule and read the bill a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bremner, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Davis of Johnson, Dunlavey, Ellis, Gniffke, Goodrell, Hall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Mangold, McCullough of Lee, McQuinn, Paulk, Reed, Rees, Robinson, Stevens, Taylor, Tompkins, Whitaker, Withrow, Witter—35.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Bennett, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Gillett, Glasgow, Gue, Gurley, Haskell, Hoag, Kellogg, Lambert, Lynch, McCullough of Jackson, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Williams, Williamson of Louisa, Wright, and Mr. Speaker—44.

Absent or not voting—Messrs. Campbell, Dennison, Macomber, Noble, Peet, Riddle, Williamson of Warren.

The bill did not pass.

Mr. Bennett moved to reconsider the vote last taken.

Mr. Sabin moved to lay the motion to reconsider on the table.

Mr. Bennett called for the yeas and nays.

Mr. Bennett moved for a call of the house, which was made, and Mr. Peet found absent and unexcused.

Mr. Cowing moved to suspend further proceedings under the call. Carried.

On the question to lay on the table, the yeas and nays were as follows:

The yeas were—Messrs. Bemis, Bowdoin, Blackford, Caldwell, Clark of Johnson, Cottell, Cowing, Crawford, Davis of Jasper, Dennison, Gillett, Glasgow, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Ruddick, Sabin, Shipman, Stanton, Streeter, Williamson of Louisa, Wright—34.

The nays were—Messrs. Baker, Beal, Barnes, Bereman, Bracewell, Bennett, Bremner, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Darling, Davis of Johnson, Dunlavey, Ellis, Gniffke, Goodrell, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Paulk, Price of Lee, Reed, Rees, Robinson, Rosenkrans, Robb, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—47.

Absent or not voting—Messrs. Campbell, Macomber, Noble, Peet, Riddle.

The motion to table motion to reconsider, did not prevail.

Mr. Hall moved to postpone further consideration of the bill till to-morrow. Carried.

Mr. Paulk, by leave, offered the following resolution :

Resolved, That the judiciary committee be instructed to inquire into the expediency and necessity for an act giving authority to the proper officers to bid on behalf of the State upon sale of premises mortgaged to the school fund, and to regulate his duties in such case and report by bill or otherwise, as soon as day after to-morrow, at noon.

Which was adopted.

• Messages from the Senate.

MR. SPEAKER :—I herewith present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

Senate file number 138, an act to legalize the acts of Charles A. Bannan, as Notary Public.

Senate file number 110, an act to provide for the alteration and vacation of streets and alleys in unincorporated villages.

Senate file number 166, an act declaratory of the meaning of an act for extending the time of completion of 75 miles of road by the Dubuque and Pacific R. R. Company, approved 7th March, 1860.

Senate file number 189, a joint resolution for additional mail facilities.

Senate substitute for house file number 139, an act to legalize the elections and organization of common council of the city of Clinton.

Senate file number 107, an act to legalize the organization of Hartland township, in Worth county.

Senate file number 113, an act to legalize the elections in the city of Glenwood.

Senate file number 150, an act to amend an act to provide for an annual appropriation for the benefit of a State Historical Society, approved January 28, 1857.

J. H. SANDERS, Sec'y of Senate.

Mr. Williams, by leave, introduced house file number 346, a bill for an act to require the recording of official bonds; which was read a first and second time and referred to the committee on the judiciary.

Mr. Rees, by leave, introduced house file number 347, a bill for an act providing for the payment of expenses incurred by the Attorney General in the case of the State of Iowa, *vs.* William Tighlman, *et al*; which was read a first and second time, and referred to the judiciary committee.

Mr. Wright, by leave, introduced house file number 348, a bill

for an act requiring State officers and others to record their reports, which was read a first and second time and passed on file.

Mr. Wright, by leave, introduced house file number 349, a bill for an act to change the fiscal year, and define the duties of State officers in certain cases; which was read a first and second time and referred to the committee on ways and means.

House file number 270, an act to provide for the payment of school fund commissioners in certain cases, was taken up and read a second time.

Mr. Beal moved to amend by striking from the first section the words "one-third," and inserting "one-half." Lost.

Mr. Harris offered the following amendment:

In all cases in which the salary of the school fund commissioners has been allowed by the proper authorities of the county and approved by the superintendents of public instruction, with all amounts due said school fund commissioners, as shown by the settlement filed with the auditor of State, according to the act of the 7th General Assembly of the State of Iowa, shall be paid in the same manner as is provided for in section three of this act.

Mr. Beal moved to strike out the words "school fund commissioner" in Mr. Harris' amendments. Lost.

Mr. Harris' amendment was then adopted.

On the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bracewell, Blackford, Bremner, Campbell, Clark of Jefferson, Conner, Cottell, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Lambert, LeLacheur, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Warren, Withrow—50.

The nays were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bennett, Caldwell, Clark of Johnson, Claggett, Cowing, Gillett, Haskall, Jones, Kellogg, Lynch, Mangold, Merrill, Morehead, Quinn, Whitaker, Williams, Wright, and Mr. Speaker—23.

Absent or not voting—Messrs. Clark of Des Moines, Curtis, Jennings, Macomber, McQuinn, Moser, Noble, Price of Lee, Riddle, Sabin, Stevens, Williamson of Louisa, Witter.

The bill was passed and the title agreed to.

Mr. Paulk moved to reconsider the vote last taken, and to postpone the bill till to-morrow. Carried.

House file number 161, a bill for an act to regulate costs in certain cases in the District Court, was taken up.

Mr. Kellogg moved to strike out section three. Lost.

Mr. Olaggett offered two amendments, which were lost.

Mr. Williamson of Warren, moved to substitute "one hundred dollars" for "fifty dollars." Lost.

Mr. Haskall moved to suspend the rule and put the bill on its passage. On the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Bennett, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Hoag, Hotchkiss, Hunt, Jennings, Lambert, Lynch, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Quinn, Reed, Robinson, Rosenkrans, Sabin, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—54.

The nays were—Messrs. Baker, Beal, Bracewell, Clark of Johnson, Claggett, Conner, Curtis, Harris, Hedges, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Mitchell, Peet, Rees, Ruddick, Stevens, Taylor, Whitaker, Williamson of Warren—22.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Gniffke, Macomber, Noble, Price of Lee, Price of Muscatine, Riddle, Robb, Shipman.

The bill passed and the title was agreed to.

Mr. Bennett moved that when this house adjourns it be till 7 o'clock this evening. Lost.

Mr. Clark, of Johnson, moved to take up house file number 207, a bill for an act defining the duties of Railroad Companies, and to go into committee of the whole on the bill. Lost.

Mr. Ellis moved to reconsider the vote taken on adjourning till seven o'clock. Lost.

Senate file number 170, a bill for an act to legalize certain bonds heretofore issued by the county of Story, was taken up, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Jennings, Jones, Lambert, Lynch, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Parker, Paulk, Quinn, Reed, Rees, Robinson, Rosenkrans, Sabin, Shipman, Streeter, Taylor, Tompkins, Williamson of Warren, Withrow, Witter, and Mr. Speaker—56.

The nays were—Messrs. Barnes, Bennett, Curtis, Doggett, Dunlavey, Ellis, Glasgow, Gniffke, Hunt, Kellogg, LeLacheur,

McCullough of Lee, Morehead, Peet, Ruddick, Stanton, Stevens, Whitaker, Williams, Williamson of Louisa, Wright—11.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Macomber, Moser, Noble, Price of Lee, Price of Muscatine, Riddle, Robb.

The bill was passed and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills in which the concurrence of the house is asked:

Senate file number 213, an act to re-apportion the State into Senatorial Districts.

I also return the following house bills, the same having passed the Senate without amendment:

House file number 290, an act appropriating the saline lands and funds to the State University of Iowa.

House file number 317, an act to legalize the corporate acts of the town of McGregor.

I also return house file number 170, an act to provide for the establishment of a commissioner in the city of New York, to promote immigration into the State of Iowa; the same having passed the senate with amendments, in which the concurrence of the house is asked.

J. H. SANDERS, Sec'y of Senate.

Substitute for house file number 253, a bill for an act to amend section 1249 of the Code of Iowa, was taken up, and Mr. Claggett moved to amend section one as follows: Provided the homestead, as provided for in this act, does not exceed in value the sum of \$1500, when the same is exempted from execution as against indebtedness incurred prior to his acquiring the homestead.

Mr. Gurley moved to refer to committee, with instructions to report a bill, to-morrow, limiting the value of a homestead to be exempted from execution to \$2,000, and providing that when it exceeds that amount in value, it may be sold, \$2,000 of the proceeds of such sale to be reserved for the debtor—the overplus to go to the creditor.

Mr. Kellogg moved for a division of the question.

The motion to re-commit was lost.

Mr. Clark, of Johnson, moved to amend the amendment of Mr. Claggett, as follows: *Provided*, That in no case shall the value of the homestead exceed the sum of two thousand dollars; and if, on a valuation thereof by the proper officer holding an execution, and two disinterested persons by him summoned for that purpose, the same is deemed to exceed that value, it may be offered for sale, and sold, if the amount offered therefor exceeds the limit aforesaid; and in case of such sale, the sum aforesaid shall be paid to the owner, and the excess applied on the execution in the hands of the officer.

Mr. Bremner called for the yeas and nays, which were as follows:

The yeas were—Messrs. Beal, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Clark of Johnson, Cottell, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Gniffke, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Merrill, Moser, Ruddick, Sabin, Shipman, Taylor, Tompkins, Williams, Withrow, and Mr. Speaker—34.

The nays were—Messrs. Baker, Barnes, Bereman, Bennett, Caldwell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Curtis, Doggett, Dunlavey, Ellis, Glasgow, Goodrell, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, Mitchell, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Stanton, Stevens, Streeter, Williamson of Louisa, Williamson of Warren, Witter—43.

Absent or not voting—Campbell, Crawford, Macomber, McCullough of Lee, Noble, Price of Lee, Riddle, Whitaker, Wright.

The amendment did not prevail.

Mr. Claggett's amendment did not prevail.

Mr. Bennett moved to suspend the rules and read the bill a third time now, and demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Caldwell, Clark of Jefferson, Clark of Des Moines, Claggett, Cottell, Cowing, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Lynch, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Price of Lee, Price of Muscatine, Quinn, Rees, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Mr. Speaker—64.

The nays were—Messrs. Bremner, Clark of Johnson, Conner, Gniffke, Gue, Gurley, Lambert, Mangold, Merrill, Peet, Reed, Ruddick, Williams—13.

Absent or not voting—Blackford, Campbell, Crawford, Macomber, McCullough of Lee, Noble, Riddle, Whitaker and Wright.

The motion prevailed.

Mr. Claggett moved to put the bill back on its second reading, for amendment. Lost.

On the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Beal, Bennett, Caldwell, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gurley, Haskell, Harris, Hedges, Hotchkiss, Jennings, Jones, Lambert, LeLacheur, McCullough of Jack., Millard, Mitchell, Morehead, Parker, Paulk, Peet, Price of Lee, Price of Musca

tine, Quinn, Rees, Robinson, Rosenkrans, Sabin, Shipman, Stanton, Stevens, Streeter, Williamson of Louisa, Withrow, Witter and Wright.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Johnson, Cottell, Darling, Davis of Johnson, Gillett, Gniffke, Gue, Hall, Hoag, Hunt, Lynch, Mangold, McQuinn, Merrill, Moser, Reed, Robb, Ruddick, Taylor, Tompkins, Williams, Williamson of Warren, Mr. Speaker—31.

Absent or not voting—Campbell, Crawford, Kellogg, Macomber, McCullough of Lee, Noble, Riddle, Whitaker.

The bill was passed and title agreed to.

The committee on enrolled bills ask leave to report that they have examined house file number 266, an act to carry into execution the trusts conferred upon the State of Iowa in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a railroad from Lyons City across the State of Iowa, and near the 42d parallel, to the Missouri river; and find the same correctly enrolled.

J. W. DENNISON, Chairman.

Mr. Kellogg moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Thursday, March 27, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Teeter.

Journal of yesterday read and approved.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 215, an act in relation to State Printing, in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

Mr. Mangold moved to take up house file number 170, and concur in the Senate amendments.

On the question of concurring, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Blackford, Bremner, Clark of Jefferson, Claggett, Conner, Cottell, Crawford, Davis of Johnson, Dunlavey, Gillett, Gniffke, Goodrell, Gue, Harris, Hedges, Hoag, Hunt, Jennings, Kellogg, LeLacheur, Mangold, McQuinn, Millard, Mitchell, Merrill, Moser, Paulk, Price of

Lee, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Sabin, Streeter, Taylor, Tompkins, Withrow, Witter, Mr. Speaker—46.

The nays were—Messrs. Barnes, Bemis, Bracewell, Bennett, Clark of Johnson, Cowing, Curtis, Doggett, Darling, Davis of Jasper, Glasgow, Hall, Haskell, Hotchkiss, Lambert, Lynch, McCullough of Jackson, Morehead, Price of Muscatine, Robinson, Shipman, Stanton, Stevens, Whitaker, Williamson of Louisa, Williamson of Warren—29.

Absent or not voting—Messrs. Caldwell, Campbell, Clark of Des Moines, Dennison, Gurley, Jones, Macomber, McCullough of Lee, Noble, Parker, Peet, Riddle, Williams and Wright.

Mr. Kellogg, by leave, introduced house file number 350, a bill for an act to regulate evidence in certain cases; which was read a first and second time, and passed on the file.

Mr. Rosenkrans, by leave, called up senate file number 179, a bill for an act authorizing trustees to sell lands; which was read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Guiffke, Goodrell, Gue, Hall, Macomber, Mangold, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rees, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Withrow, Witter, Wright—45.

The nays were—Messrs. Barnes, Bennett, Caldwell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Harris, Hedges, Hoag, Hunt, Jennings, Jones, Kellogg, LeLacheur, Lynch, McCullough of Jackson, Paulk, Price of Lee, Reed, Riddle, Robb, Stanton, Stevens, Whitaker, Williams, Williamson of Louisa, Williamson of Warren—30.

Absent or not voting—Messrs. Bemis, Campbell, Gurley, Haskell, Hotchkiss, Lambert, McCullough of Lee, McQuinn, Noble, Peet, and Mr. Speaker.

The bill was passed and the title agreed to.

Mr. Ellis moved to reconsider the vote last taken.

Mr. Bowdoin moved to lay the motion to reconsider on the table.

Mr. Ellis demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Hall, Lambert, Macomber, Mangold, Millard, Mitchell, Merrill, Moser, Parker, Price of Muscatine, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Tompkins, Williamson of Warren, Withrow, Witter, Wright—41.

The nays were—Messrs. Barnes, Bracewell, Bennett, Clark of

Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, Morehead, Paulk, Price of Lee, Reed, Riddle, Robb, Stanton, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa—36.

Absent or not voting—Campbell, Dennison, Gurley, McCullough of Lee, McQuinn, Noble, Peet, Rees, and Mr. Speaker.

The motion prevailed.

Mr. Paulk, by leave, offered the following resolution:

Resolved, That the Speaker appoint a select committee to ascertain what further legislation is needed, as supplemental to the legislation of this session. Adopted.

Mr. Curtis, by leave, introduced house file number 351, a bill for an act to define the manner of measuring husked corn in a crib, rail pen, granary or wagon body; which was read a first and second time, and referred to the committee on agriculture.

Mr. Ellis moved to take up senate file number 214, a bill for an act to authorize the board of directors of Clear Creek township school district, of Keokuk county, to correct the assessment roll made in 1859.

The bill was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Rudick, Sabin, Shipman, Stanton, Streeter, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—65.

The nays were—Messrs. Bereman, Cottell, Lynch, Price of Lee, Stevens and Wright—6.

Absent or not voting—Messrs. Bemis, Campbell, Claggett, Dennison, Gurley, McCullough of Jackson, McCullough of Lee, Noble, Paulk, Peet, Rees, Tompkins, Williams, Withrow, Witter.

The bill was passed and title agreed to.

Mr. Paulk moved to take up senate file number 205, a bill for an act regulating the compensation of county judges, was taken up read a second time, the rule was suspended and the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Davis of

Johnson, Gillett, Glasgow, Gniffke, Gue, Harris, Hedges, Hoag, Hotchkiss, Jones, Lambert, LeLacheur, Lynch, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Parker, Paulk, Quinn, Reed, Riddle, Rosenkrans, Ruddick, Sabin, Streeter, Taylor, Tompkins, Withrow, Wright and Mr. Speaker—48.

The nays were—Messrs. Beal, Bennett, Clark of Johnson, Clark of Des Moines, Olaggett, Conner, Curtis, Doggett, Dennison, Dunlavey, Ellis, Goodrell, Hall, Haskall, Hunt, Jennings, Kellogg, Macomber, Mangold, Moser, Peet, Robinson, Robb, Stanton, Stevens, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter—80.

Absent or not voting—Campbell, Gurley, McCullough of Jackson, Noble, Price of Lee, Price of Muscatine, Rees, and Shipman,

The bill was passed and title agreed to.

Senate file number 204, a bill for an act respecting the taking effect of the law of 1858, entitled an act respecting aliens, approved March 15, 1858, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass?

The yeas were—Messrs. Baker, Barnes, Bereman, Bowdoin, Bennett, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, Millard, Mitchell, Merrill, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright—63.

The nays were—Messrs. Beal, Bemis, Bracewell, Blackford, Moser, Stevens, and Williams—7.

Absent or not voting—Bremner, Campbell, Olaggett, Darling, Davis of Johnson, Dennison, Gue, Gurley, McCullough of Jackson, McQuinn, Noble, Price of Lee, Rees, Robinson, Sabin, and Mr. Speaker.

The bill was passed, and the title agreed to.

Senate file number 101, a bill for an act rendering valid the service of original notices in certain actions, was taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass?

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of

Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—74.

The nays were—Messrs. Bereman, Dunlavey, Robinson, and Whitaker—4.

Absent or not voting—Beal, Olaggett, Conner, Doggett, Gurley, Hoag, Noble, Rees.

The bill was passed and the title agreed to.

Mr. Riddle, from select committee, reported as follows :

The select committee, to whom was referred house file number 286, report substitute for same, and recommend its passage.

Which report was received and the bill placed on file.

Mr. Clark of Johnson, from the select appraisement committee, reported back senate file number 6, a bill for an act to provide for the appraisement of property sold under execution.

Mr. Baker moved that the house do not concur with the senate amendment to the bill, and ask a committee of conference. Carried.

The Chair appointed on part of the house, Messrs. Baker, Clark of Johnson, and Williamson of Louisa.

Mr. Baker, by leave offered the following resolution :

Resolved, That the Chief Clerk be authorized to appoint a first assistant clerk for the remainder of the session, if the same is necessary for the disposal of the business of this house. Adopted.

Substitute for house file number 252, a bill for an act in relation to debtors to the school fund, was taken up, read a second time the rule suspended, the bill read a third time, and on the question shall the bill pass ?

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bracewell, Bennett, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Sabin, Shipman, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—69.

The nays were—Messrs. Barnes, Campbell, Stanton and Wright—4.

Absent or not voting—Bowdoin, Blackford, Olaggett, Clark of Johnson, Conner, Gurley, Moser, Noble, Price of Lee, Rees, Ruddick, Stevens and Withrow.

The bill was passed, and the title agreed to.

Mr. Curtis, from special committee submitted the following report :

The special committee, to whom was referred senate file number 159, a bill for an act to carry into effect the provisions of section 5, of chapter 21, of the acts of the 7th General Assembly, and amendatory thereto, have had the same under consideration, and have instructed the undersigned to report the following substitute therefor, which report was received and the bill passed on file.

Mr. Hunt presented two remonstrances from citizens of Hardin county against the change of county boundaries of said county, which were referred to the judiciary committee.

The hour having arrived for the special order, being substitute for senate file number 71, a bill for an act making further appropriation for the State Insane Asylum, it was taken up.

Mr. Kellogg moved to go into committee of the whole on the bill. Lost.

Mr. Bennett moved to add to section one, the following : provided the warrants issued under this act, shall not draw interest, on which Mr. Beal called for the yeas and nays which were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Claggett, Conner, Curtis, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—32.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Darling, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Withrow, Witter, Wright, and Mr. Speaker—45.

Absent or not voting—Campbell, Clark of Des Moines, Crawford, Doggett, Gue, Haskell, Noble, Price of Lee, Williamson of Louisa.

The amendment did not prevail.

By leave, Mr. Baker offered the following resolution :

Resolved, That the bill be recommitted to the select committee which reported the same, with instructions to report a bill providing for a loan by the State to the amount of \$130,000, for the purpose of completing the Insane Asylum, in accordance with section 5, article 7, of the Constitution, also providing that the question on said bill be submitted to the people at the first general election hereafter.

Mr. Edwards moved to postpone further consideration of the bill till two o'clock on to-morrow. Carried.

Mr. Goodrell moved to take up house file number 335, an act in relation to revenue. Carried.

Mr. Goodrell moved to go into committee of the whole on the bill. Carried.

Mr. Clark of Johnson, was called to the chair. The committee rose, reported progress, and asked leave to sit again at 2 o'clock.

Mr. Kellogg moved to adjourn. Carried.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

The business pending, being the special order, house file number 335, an act in relation to revenue. The house resolved itself into committee of the whole, and Mr. Clark, of Johnson, was called to the chair. The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following resolution, in which their concurrence is asked:

Resolved, (the house concurring,) That this General Assembly will adjourn *sine die* on Friday, March 30th, 1860.

J. H. SANDERS, Sec'y of Senate.

MR. SPEAKER:—I herewith present for your signature, senate file number 62, an act making appropriations for selecting swamp lands.

Also, senate file number 144, an act requiring complete reports from officers in charge of State buildings and State Institutions; the same having passed both branches of the General Assembly and been duly enrolled by the Senate.

I also return house file number 237, an act to rebate taxes assessed upon property destroyed by fire or other casualties; the Senate having refused to pass the same.

I am directed to inform the house that the senate has passed senate file number 202, an act authorizing the county judge of Polk county to appropriate a portion of the proceeds of the swamp lands, for the completion of a court house; in which the concurrence of the house is asked.

Also, senate file number 218, an act to apportion the State into Representative Districts," in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

Mr. Baker, by leave, introduced house file number 352, an act providing for auditing accounts for publishing laws in newspapers;

which was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Peet, Quinn, Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—66.

The nays were—Messrs. Curtis, Paulk, Stanton, Stevens, Taylor—5.

Absent or not voting—Bennett, Campbell, Doggett, Darling, Dunlavey, Jones, Lynch, McOullough of Lee, Noble, Parker, Price of Lee, Price of Muscatine, Rees, Riddle and Wright.

The bill was passed and the title agreed to.

Mr. Baker moved that the revenue bill be made the special order for 10 o'clock to-morrow. Carried.

Mr. Williams moved that when we adjourn, it be till 7 o'clock this evening. Carried.

On motion, the House adjourned.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Baker, by leave, offered the following resolution:

Resolved, That the Clerk of the House be directed to make arrangements with the Post-master of Des Moines, to forward all mail matter arriving here after the adjournment, and intended for the members of the House, to said members, at their respective places of residence. Adopted.

Mr. Baker, by leave, offered the following resolution:

Resolved, That the Secretary of State be directed to forward to each member of the House, all documents ordered to be printed for the use of the members, and which may not be ready for delivery to members at the time of adjournment. *Resolved*, That the Clerk of the House be directed to notify the Secretary of the passage of this resolution. Adopted.

Mr. Clark, of Johnson, by leave, offered the following concurrent resolution:

Resolved, By the General Assembly of the State of Iowa, That there is hereby donated to the "State Historical Society," the

Helmet, Armor and Sword now in the room of the State Library.
Adopted.

Mr. Kellogg, by leave, introduced house file number 353, a bill for an act in relation to evidence; which was read a first and second time, and passed on file.

Mr. Goodrell, by leave, introduced house file number 354, a bill for an act to amend chapter 12 of the session laws of 1858; which was read a first and second time, and passed on file.

Mr. Curtis, by leave, introduced house file number 355, a bill for an act to legalize the acts of the city council of Fort Madison, in Lee county, in vacating Oriental street, and to confirm the title of said street to the State of Iowa; which was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Crawford, Curtis, Darling, Davis of Jasper, Dunlavey, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Hoag, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, Mangold, Millard, Mitchell, Merrill, Morehead, Parker, Reed, Rees, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Stevens, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—54.

The nays were—None.

Absent or not voting—Beal, Barnes, Bennett, Campbell, Olaggett, Cottell, Doggett, Davis of Johnson, Dennison, Ellis, Gillett, Gurley, Harris, Hedges, Hotchkiss, Jones, Lynch, McCullough of Lee, McCullough of Jackson, McQuinn, Moser, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Riddle, Ruddick, Streeter, Taylor and Wright.

The bill was passed and the title agreed to.

BILLS ON SECOND READING.

House file number 318, joint resolution for additional mail facilities, was taken up and read a second time, the rule suspended, the resolution read a third time, and passed.

House file number 334, a bill for an act regulating and authorizing the sale of swamp lands, and disposing of the proceeds thereof, was taken up and read a second time, when Mr. Rees moved to strike out "public buildings," and insert "roads." Lost.

Mr. Robb moved to insert "roads" before "public buildings." Carried.

Mr. Harris moved to strike out section 4. Lost.

Mr. Lambert moved to re-commit the bill. Lost.

Mr. Baker moved to suspend the rule and read the bill a third

time now, which was done, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Hall, Haskell, Hedges, Hoag, Hotchkiss, Hunt, Jennings, LeLacheur, Macomber, Mangold, McQuinn, Millard, Morehead, Parker, Paulk, Reed, Rees, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—61.

The nays were—Messrs. Beal, Gniffke, Harris, Kellogg, Lambert, Lynch, Mitchell, Merrill, Robb, Streeter—10.

Absent or not voting—Messrs. Cottell, Dennison, Gue, Gurley, Jones, McCullough of Lee, McCullough of Jackson, Moser, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Riddle, Wright.

The bill was passed and the title agreed to.

House file number 286, a bill for an act in regard to swamp land pre-emptors, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bracewell, Bennett, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Ellis, Gillett, Glasgow, Goodrell, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, LeLacheur, Lynch, Mangold, McQuinn, Morehead, Parker, Paulk, Reed, Rees, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—54.

The nays were—Messrs. Beal, Bereman, Bowdoin, Conner, Dunlavey, Gniffke, Gue, Lambert, Macomber, Millard, Mitchell, Merrill, Ruddick, Stanton—14.

Absent or not voting—Messrs. Blackford, Bremner, Campbell, Darling, Dennison, Gurley, Jones, McCullough of Jackson, McCullough of Lee, Moser, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Riddle, Wright.

The bill was passed and the title agreed to.

Mr. Bowdoin, from the committee on schools and State University, submitted the following report, and introduced the bills therein named: The committee on schools and State University, who were, by a resolution of this house, instructed to "report, at the earliest possible day, a school law providing for an independent district system, and also provide in said act for an early meeting of the Board of Education, in order that any act passed by the

General Assembly may receive the approval and be confirmed by said Board before the same goes into operation," in compliance with said instructions, respectfully beg leave to submit the three accompanying bills:

1st—A bill amendatory of the present law, providing for the collection of taxes when assessed by sub-districts, and adapting the law to the Supervisor system.

2d—A bill in which the township system is abolished, and an independent district system instituted in lieu thereof, and

3d—A bill providing for a meeting of the Board of Education on the first Monday of December next.

All these bills have been carefully prepared by the Secretary of the Board of Education, by request of the committee, and are intended to meet the views of this house, as expressed in their resolution of instruction to your committee.

E. G. BOWDOIN,
H. DUNLAVEY,
B. F. GUE,
J. E. WILLIAMSON,
AMOS HOAG,
GEORGE T. DAVIS,
J. C. HALL.

The bills being house file number 356, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide a system of common schools.

House file number 357, a bill for an act to provide for a meeting of the Board of Education.

And house file number 358, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide for a system of common schools; were read a first and second time, and placed on the file.

Mr. Bowdoin moved to take file number 358 from the file, to suspend the rule and read a third time now, which was done, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Caldwell, Clark of Johnson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Paulk, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—64.

The nays were—Messrs. Beal, Bennett, Harris, Parker—4.

Absent or not voting—Messrs. Bremner, Campbell, Clark of Jef

terson, Clark of Des Moines, Darling, Dennison, Gniffke, Gurley, Jones, McCullough of Jackson, McCullough of Lee, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Riddle, Taylor.

The bill passed and the title was agreed to.

Mr. Dunlavey moved to make house file number 356 the special order for Thursday, at 9 o'clock. Carried.

Mr. Claggett moved to reconsider the vote taken on the passage of senate file number 116, a bill for an act to submit to arbitration or reference the claims and defences of the State of Iowa and Jas. D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads; on which Mr. Williamson, of Louisa, demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, LeLacheur, Mangold, McQuinn, Parker, Paulk, Reed, Rees, Robinson, Rosenkrans, Robb, Shipman, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, Wright—46.

The nays were—Messrs. Bemis, Blackford, Caldwell, Cottell, Cowing, Crawford, Gillett, Glasgow, Gue, Lambert, Lynch, Macomber, Millard, Merrill, Morehead, Moser, Ruddick, Sabin, Stanton, Streeter, Williamson of Louisa—22.

Absent or not voting—Barnes, Bowdoin, Bereman, Bremner, Clark of Des Moines, Darling, Gurley, Haskell, Jones, McCullough of Jackson, McCullough of Lee, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Riddle, and Mr. Speaker.

The motion prevailed.

Mr. Sabin, from the committee on public lands, introduced house file number 359, a bill for an act for the relief of Amity College; which was read a first and second time, and passed on the file.

Mr. Sabin, by leave, introduced house file number 360, a bill for an act to incorporate a supplementary clause in section 326 of the Code; which was read a first and second time, and referred to the judiciary committee.

House file number 338, a bill to amend chapter 29, section 327, of the Code, in relation to constables' bonds, was taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, Millard, Merrill, Morehead,

Parker, Paulk, Rosenkrans, Sabin, Shipman, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—58.

The nays were—Messrs. Beal, Campbell, Clark of Des Moines, Conner, Mitchell, Moser, Rees, Robinson, Robb, Ruddick, Taylor—11.

Absent or not voting—Messrs. Bowdoin, Claggett, Darling, Gurley, Jones, McCullough of Jackson, McCullough of Lee, McQuinn, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Riddle, Stanton, Stevens.

The bill was passed and the title agreed to.

Mr. Williamson, of Louisa, moved to take up house file number 151, an act to amend an act to provide for levying a tax on certain lands to complete and keep in repair a levee on Muscatine Island, and for the election of a levee commissioner to superintend the same. Carried.

Mr. Williamson, of Louisa, moved to strike out section two of the bill. Carried.

The rule was suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, Lynch, Macomber, Mangold, Millard, Merrill, Morehead, Noble, Parker, Paulk, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—64.

The nays were—Mr. Mitchell—1.

Absent or not voting—Barnes, Campbell, Clark of Des Moines, Claggett, Doggett, Darling, Gurley, Jones, LeLacheur, McCullough of Lee, McCullough of Jackson, McQuinn, Moser, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Riddle, Williams and Wright.

The bill was passed, and the title agreed to.

House file number 247, a bill for an act to amend chapter 46 of the laws passed at the 5th General Assembly, was taken up.

Mr. Lynch moved to strike the word "two" from the bill, and insert "three."

Mr. Clark, of Johnson, moved to amend the amendment by inserting "five;" pending which, Mr. Taylor moved to lay the bill on the table. Carried.

Mr. Bennett, by leave, introduced house file number 361, a bill for an act to rebate taxes on property destroyed by fire; which was read a first and second time, and passed on the file.

Substitute for house file number 216, a bill for an act to amend chapter 38 of the Code in relation to roads, and highways; was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Deunison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—72.

The nays were—Messrs. Barnes, Bemis, Lynch, Paulk—4.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Darling, Gurley, Jones, McCullough of Jackson, Noble, Peet, Riddle, Robinson.

The bill was passed and the title agreed to.

Senate file number 75, a bill for an act for the regulation of State and county roads within towns and cities, was taken up from the table, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Clark of Johnson, Conner, Cottell, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Deunison, Goodrell, Hall, Harris, Hoag, Hunt, Jennings, Kellogg, Lynch, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Paulk, Price of Muscatine, Rees, Robinson, Rosenkrans, Sabin, Shipman, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Barnes, Bemis, Caldwell, Claggett, Cowing, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Haskall, Hedges, Hotchkiss, Lambert, LeLacheur, Macomber, Millard, Parker, Reed, Robb, Ruddick, Stanton, Stevens, Streeter, Whitaker, Wright—27.

Absent or not voting—Messrs. Campbell, Clark of Jefferson, Clark of Des Moines, Doggett, Darling, Gurley, Jones, McCullough of Jackson, McCullough of Lee, Noble, Peet, Price of Lee, Quinn, Riddle.

The bill was passed and title agreed to.

House file number 353, an act in relation to evidence, was taken up, read a second time, the rule suspended, the bill read a third

time, and upon the question, shall the bill pass, the yeas and nays were ordered and were as follows :

The yeas were—Messrs. Baker, Bowdoin, Bracewell, Blackford, Clark of Johnson, Clark of Jefferson, Claggett, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Hall, Haskall, Harris, Hedges, Hoag, Hunt, Jennings, Kellogg, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Merrill, Moser, Parker, Reed, Rees, Robinson, Rosenkrans, Robb, Sabin, Shipman, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Beal, Barnes, Bemis, Bereman, Bennett, Caldwell, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Glasgow, Gue, Lambert, Morehead, Price of Muscatine, Ruddick, Stanton, Stevens, Streeter, Williamson of Louisa, and Wright—24.

Absent or not voting—Bremner, Campbell, Clark of Des Moines, Doggett, Darling, Gurley, Hotchkiss, Jones, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Paulk, Peet, Price of Lee, Quinn, and Riddle.

The bill was passed and the title agreed to.

House file number 345, joint resolution for additional mail facilities from Cedar Rapids to Onawa, was taken up, read a second time, the rule was suspended, the bill read a third time, and the resolution was adopted.

House file number 255, a bill for an act to amend section 16 of chapter 158 of the seventh General Assembly, and for the relief of persons having paid the penalty therein mentioned, was taken up, read a second time.

Mr. Bereman moved to strike out the last section. Carried.

Mr. Bereman moved to indefinitely postpone the bill. Carried.

House file number 304, a bill for an act to cure defective confessions of judgment in certain cases, was taken up and read a second time.

Mr. Clark, of Johnson, moved the following amendment to section one: Strike out in the fourth, fifth and sixth lines the words "requirements of the statutes in relation to the same, may not have been literally or strictly," and insert, "the requirements of sub-division first of section 1839 of chapter 107 of the Code, may not have been." Also, strike out in line twelfth, of section one, the words "law in relation to said judgments," and insert "the requirements of said sub division." Carried.

The rule was suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunla-

vey, Ellis, Glasgow, Gniffke, Gue, Hall, Haskell, Hoag, Hunt, Jennings, Kellogg, Lambert, Macomber, Mangold, McQuinn, Millard, Merrill, Morehead, Paulk, Price of Muscatine, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—56.

The nays were—Messrs. Baker, Beal, Bennett, Claggett, Gillett, Goodrell, Harris, Lynch, Moser, Reed, Tompkins—11.

Absent or not voting—Campbell, Clark of Des Moines, Darling, Gurley, Hedges, Hotchkiss, Jones, LeLacheur, McCullough of Jackson, McUnlough of Lee, Mitchell, Noble, Parker, Peet, Price of Lee, Quinn, Riddle, Stevens, Taylor.

The bill was passed and the title agreed to.

Mr. Ellis moved to adjourn. Lost.

Mr. Wright called up senate file number 218, an act apportioning the State of Iowa into Representative Districts; which was done, the bill read a first and second time, when Mr. Baker moved to strike out the last section. Lost.

Mr. Wright moved to suspend the rule and read the bill a third time now.

Mr. Baker called for the yeas and nays, which were as follows :

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—52.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Conner, Curtis, Doggett, Dunlavey, Gniffke, Jennings, Kellogg, Reed, Rees, Robinson, Robb, Stevens, Williamson of Warren—16.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Darling, Gurley, Hedges, Hotchkiss, Jones, LeLacheur, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Peet, Price of Lee, Quinn, Riddle, Stanton, Taylor.

The motion to suspend the rule prevailed.

On the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Gue, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Price of Muscatine, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—46.

The nays were—Messrs. Baker, Beal, Bennett, Claggett, Conner, Curtis, Doggett, Gniffke, Hall, Harris, Jennings, Kellogg, LeLacheur, Paulk, Reed, Rees, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren—28.

Absent or not voting—Campbell, Clark of Des Moines, Darling, Dunlavey, Ellis, Gurley, Hedges, Hotchkiss, Jones, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Peet, Price of Lee, Quinn, Riddle, Taylor.

The bill was passed and title agreed to.

Mr. Wright moved to take up house file number 213, a bill for an act to re apportion the State into Senatorial Districts. Carried.

The bill was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Price of Muscatine, Rosenkrans, Riddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—45.

The nays were—Messrs. Baker, Beal, Bracewell, Bennett, Claggett, Conner, Curtis, Ellis, Gniffke, Hall, Harris, Jennings, Kellogg, Paulk, Reed, Riddle, Robb, Stevens, Whitaker, Williams, Williamson of Warren—22.

Absent or not voting—Messrs. Campbell, Clark of Des Moines, Doggett, Darling, Dunlavey, Gurley, Hedges, Hotchkiss, Jones, LeLacheur, McCullough of Lee, McCullough of Jackson, Mitchell, Noble, Peet, Price of Lee, Quinn, Rees, Robinson, Taylor.

The bill was passed and title agreed to.

Mr. Dennison, by leave, introduced house file number 362, joint resolution for additional mail facilities from Des Moines to Sioux City, and Dennison to Fort Dodge, Council Bluffs to Spirit Lake, and to add Dowsville and Butler's Mill in the route from Council Bluffs to Dennison and Deloit; which was read a first and second time, the rule suspended, the bill read a third time and passed.

Senate file number 171, joint resolution for additional mail facilities, was taken up, read a first and second time, the rule suspended, the bill read a third time and passed.

Mr. Beal, by leave, offered the following resolution:

WHEREAS, The Governor in his biennial message to this Legislature, submits the following in relation to the State indebtedness:

"The third sum of \$122,295.75, is a part of the school fund which belongs to the State, is held by the State in trust for educational purposes."

"It is true, the State pays interest on this amount, not to a creditor, for the relation of debtor and creditor does not exist;

but to the school fund itself as upon a debt; ownership is not indebtedness." And,

WHEREAS, During the early part of this session, this House adopted the following resolution:

"*Resolved*, That the committee on the judiciary be requested to report to this House whether a legal recovery can be made in favor of the school fund of the \$122,295.75, borrowed by the State from the same, should the State refuse to pay the same."

"2d. Whether the relation of debtor and creditor exists in the premises."

"3d. Whether said debt or any portion of the same, is unconstitutional." And,

WHEREAS, The said committee has failed to make said report, up to the present time; therefore, be it

Resolved, That said committee be instructed to report upon the resolution referred to before the close of the present session.

Which were adopted.

House file number 325, a bill for an act making appropriation for the pay of State officers and other purposes, and defining the duties of State officers in certain cases; was taken up and read a second time.

Mr. Baker offered the following amendment:

"Section 9. For payment of members of the Senate, including the Lieutenant Governor for attendance at this session, the sum of eight thousand dollars, or so much thereof as their certificates may entitle them to."

Section 10. For payment of members of the House of Representatives for attendance at this session, the sum of sixteen thousand dollars, or so much thereof as their certificates may entitle them to."

Pending which, the House adjourned.

HALL OF REPRESENTATIVES,
Wednesday, March 28th, 1860. }

House met pursuant to adjournment.

The Journal of yesterday read and approved.

Mr. Curtis, by leave, introduced house file number 363, a bill for an act to preserve the laws, journals and other public documents of the General Assembly, which was read a first and second time, the rule was suspended, and the bill read a third time, and

upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Riddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—74.

The nays were—None.

Absent or not voting—Messrs. Bemis, Crawford, Darling, Denison, Gurley, Hall, Mangold, Noble, Peet, Price of Lee, Riddle, Williamson of Warren.

The bill was passed and the title agreed to.

Mr. Bennett, from special committee, submitted the following report :

MR. SPEAKER :—Your committee, to whom was referred house file number 152, a bill for an act making provisions for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Grant as school lands, ask leave to make the following report :

Your committee have carefully examined the bill and previous law upon the same subject ; also, report of the Superintendent of Public Instruction for 1854 and 1855, with what other evidence they could obtain, and can but believe that the provisions of this bill are meritorious ; therefore, recommend the passage of the bill. Which was received, and the bill passed on file.

Mr. Paulk, by leave, introduced house file number 364, a bill for an act regulating the fees of certain county officers and others, and for defining their duties in certain cases ; also, for separating the office of treasurer and recorder ; which was read a first and second time, and placed on file.

Mr. Clark, of Johnson, moved to take up senate file number 88, a bill for an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale on real estate.

Mr. Gue moved to insist on the house amendments to the bill, and ask for a committee of conference to be appointed. Carried.

The Speaker appointed Messrs. Clark of Johnson, Gue and Taylor, as such committee.

Messages from the Senate :

MR. SPEAKER :—I am directed to inform the House that the

Senate has passed the following bills, in which the concurrence of the House is asked :

Senate file 219, joint resolution for additional mail facilities.

Senate file number 221, an act to provide for the allotment of terms of Senators.

Senate file number 196, an act to pay the Commissioners of revision.

Senate file number 208, an act to prohibit members of county boards of Supervisors from borrowing public money, or dealing in the public property.

Senate file number 167, an act to amend an act entitled an act requiring witness fees to be paid into the county treasury.

Senate file number 209, an act relating to the Journals of the Senate and House of Representatives.

Senate file number 200, an act amendatory of chapter 114 of the laws of the seventh General Assembly, entitled an act to authorize general banking in the State of Iowa.

Senate file number 164, an act to regulate the compensation of clerks of the District Courts.

I also return the following House bills, the same having passed the Senate without amendment:

House file number 331, an act authorizing owners of land subject to overflow, on the Mississippi and Iowa river bottoms, in Des Moines and Louisa counties, to raise a tax on such lands, for the purpose of repairing and extending the levee now commenced, to prevent such overflow.

House file number 158, an act to define the powers and duties of County Surveyors.

House file number 277, an act to legalize the levy of a school house tax in the district township of Jefferson, in Poweshiek county, Iowa.

House file number 292, an act to legalize the taxes levied in Howard county, for the year 1859.

House file number 285, an act to authorize change of venue in certain cases.

House file number 322, joint resolution for additional mail facilities.

House file number 228, an act legalizing certain bonds of the city of Camanche.

House file number 203, an act to amend section 1249, of the Code.

House file number 327, an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque.

House file number 307, an act in relation to the records of original title of lots in Iowa City.

House file number 337, joint resolution for a grant of land from the General Government to the McGregor, St. Peters and Missouri River Railroad Company.

I am further directed to inform the House that the Senate has appointed Senators Davis, of Polk, Wilson, of Dubuque, and Powers, as a committee of conference, to act with a similar committee on the part of the house, in relation to the disagreement of the two houses on the bill to provide for the appraisement of property sold under execution.

J. H. SANDERS, Sec'y of Senate.

Mr. Rosenkrans moved to take up senate file number 180, a bill for an act for the relief of John J. Bell, a defaulting school fund commissioner, and the sureties upon his official bonds.

The bill was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Olaggett, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Merrill, Morehead, Moser, Parker, Quinn, Reed, Robinson, Rosenkrans, Robb, Sabin, Shipman, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Wright, and Mr. Speaker—63.

The nays were—Messrs. Bennett, Doggett, Lynch, Mitchell, Ruddick, Stanton, Stevens—8.

Absent or not voting—Messrs. Bereman, Blackford, Clark of Des Moines, Curtis, Darling, Dennison, Gurley, McQuinn, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Rees, Riddle and Witter.

The bill was passed and title agreed to.

Mr. Clark, of Johnson, moved to take up house file number 269, a bill for an act to repeal part of section 6, chapter 93, of the acts of the 7th General Assembly, authorizing construction of bridges, &c.

The bill was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Beal, Barnes, Bemis, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Olaggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Hall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Merrill, Morehead, Paulk, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams,

Williamson of Louisa, Williamson of Warren, Withrow, Witter, Mr. Speaker—66.

The nays were—Messrs. Dunlavey, Gue, Gurley, Moser, Parker, Price of Muscatine, Shipman, Wright—8.

Absent or not voting—Bereman, Darling, Goodrell, Haskell, Hedges, Macomber, McQuinn, Noble, Peet, Price of Lee, Riddle.

The bill was passed and title agreed to.

Message from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bill, in which the concurrence of the house is asked:

Senate file number 207, an act to legalize the levy of the road tax of Mitchell county, for the year 1858, and the collection of the taxes of said county for said year.

Also, senate file number 198, an act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands on the Des Moines River Improvement grant, as school lands.

I also return house file number 252, an act in relation to debtors to the school fund, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

Message from the Senate by Mr. Sanders, Secretary.

MR. SPEAKER:—I am directed to request the return of house file 158, the senate having reconsidered the vote by which the same was passed.

J. H. SANDERS, Sec'y of Senate.

The hour having arrived for the special order, being house file number 325, an act in relation to revenue, the house resolved itself into committee of the whole on the bill.

Mr. Clark, of Johnson, was called to the chair.

The committee rose, reported progress, and asked leave to sit again; which report was concurred in.

Mr. Gillett, by leave, introduced house file number 365, a joint resolution asking for mail facilities, which was read a first and second time, and passed on the file.

Mr. Bremner, by leave, introduced house file number 366, joint resolution for additional mail facilities, which was read a first and second time, and passed on the file.

Mr. Robb, by leave, introduced house file number 367, an act to provide for the canvassing of votes in the Senatorial and Representative districts; which was read a first and second time, and passed on file.

Mr. Wright, from the committee on claims submitted the following report:

The committee on claims, to whom was referred senate file number 193, a bill for an act to authorize the county judge of Tama county to pay the claim of W. H. Stivers, have had the same un-

der consideration, and have instructed me to report the same back with the recommendation that it pass.

Which report was received, and the bill passed on file.

The committee on claims, to whom was referred the communication of the Governor on certain correspondence in relation to the claim of A. R. Parker,, have directed me to report, and recommend that the claim be not allowed, and that the papers be returned to the Governor.

Which report was concurred in.

Mr. Kellogg moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Bennett moved to reconsider the vote taken on house file number 247, a bill for an act to amend chapter forty-six of the laws passed at the fifth General Assembly, whereby it was laid on the table. Carried.

Mr. Kellogg moved to recommit the bill to the select committee. Carried.

Mr. Kellogg moved to take up senate file 196, a bill for an act to pay the commissioners of revision, &c. Carried.

Mr. Kellogg moved to amend the bill as follows:

Add to section one the following words: "*Provided*, That said \$6,750 shall be paid out of moneys in the Treasury not otherwise appropriated and the Auditor is hereby directed not to draw any warrant on the Treasury for the objects of this bill until he is notified by the Treasurer that said (\$6,750) is in the Treasury not subject to any other order, warrant or appropriation.

Mr. Wright moved to commit the bill to the committee on ways and means. Carried.

Mr. Kellogg moved to take House File No. 259 (an act to authorize the Des Moines Navigation and R. R. Company to create and issue preferred stocks and for other purposes) from the table, and place it on file. Carried.

Mr. Goodrell, from the select committee on printing, submitted a report which was ordered to be laid on the table and printed.

Mr. Bowdoin moved to take up senate file number 207, a bill for an act to legalize the levy of the road tax of Mitchell county for the year 1858, and the collection of the taxes of said county for said year. Carried.

The bill was taken up, read a first and second time, and placed on file.

Mr. Panlk moved to take up senate file number 200, a bill for an act amendatory of chapter 114 of the laws of the 7th General Assembly, entitled an act authorizing General Banking in the

State of Iowa. The bill was taken up, read a first and second time, and placed on the file.

Mr. Bereman moved to postpone the consideration of the Insane Asylum bill, till house file number 335, an act in relation to revenue shall have been disposed of. Carried.

Mr. Wright moved to take up the senate resolution, in relation to adjourning *sine die*. Carried.

Mr. Wright moved to strike out 'Friday' and insert 'Tuesday.' Carried.

The resolution was then adopted.

Mr. Gue, by leave, introduced house file number 368, a joint resolution for the election of trustees of the State Agricultural Society, which was read a first and second time and placed on file.

Message from the Senate :

MR. SPEAKER:—I herewith present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

Senate file number 101, a bill for an act rendering valid the service of original notices in certain actions.

Senate file number 170, a bill for an act to legalize certain bonds heretofore issued by the county of Story.

Senate file number 214, a bill for an act to authorize the board of directors of Clear Creek township school district of Keokuk county, to correct the assessment made in 1859. Also,

Senate file number 179, an act authorizing trustees of the Iowa State Agricultural College and Farm, to sell lands.

J. H. SANDERS, Sec'y of Senate.

Mr. Bereman, by leave, introduced house file number 369, a bill for an act to provide for the publication of the Revised Statutes of 1860; which was read a first and second time, and passed on file.

The house then resolved itself into committee of the whole on the revenue bill, being house file 335.

Mr. Clark, of Johnson, was called to the chair.

The committee rose and reported back the bill with amendments. The report was received.

Mr. Peet, by leave, introduced house file number 370, a bill for an act to amend the charter of the town of Guttenburg; which was read a first and second time, and passed on file.

The special order being substitute for senate file number 71, a bill for an act making further appropriations to the State Insane Asylum, was taken up, and the question being on the amendment offered by Mr. Baker, he called for the yeas and nays, which were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Clark of Des Moines, Olaggett, Conner, Cowing, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Gue, Hall, Haskell, Harris, Hotchkiss, Jones, Kellogg LeLacheur, Lynch, McCullough of

Jackson, McCullough of Lee, Millard, Parker, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams—38.

The nays were—Messrs. Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gurley, Hoag, Lambert, Macomber, Mangold, McQuinn, Mitchell, Merrill, Morehead, Moser, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Wright and Mr. Speaker—39.

Absent or not voting—Darling, Dennison, Hedges, Hunt, Jennings, Noble, Price of Lee, Williamson of Warren, Witter.

The motion to amend did not prevail.

Mr. Bennett moved that “\$75,000” be stricken out, and “\$20,000” inserted.

Mr. Claggett moved to amend by inserting \$90,000” instead of “\$20,000.”

The question being on Mr. Claggett’s amendment, he demanded the yeas and nays, which were ordered, and were as follows :

The yeas were—Messrs. Barnes, Claggett, Hall, Lynch, Merrill, Moser, Witter, and Mr. Speaker—8.

The nays were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Gurley, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Wright—68.

Absent or not voting—Bracewell, Campbell, Darling, Dennison, Glasgow, Hedges, McCullough of Jackson, Merrill, Noble, Price of Lee, and Rosenkrans.

The amendment did not prevail.

The question then recurring on Mr. Bennett’s amendment, he demanded the yeas and nays, which were as follows :

The yeas were—Messrs. Beal, Bennett, Cowing, Curtis, Doggett, Dunlavey, Gue, Haskell, Harris, Kellogg, LeLacheur, Parker, Peet, Quinn, Rees, Riddle, Robinson, Robb, Whitaker, Williamson of Warren—20.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Gurley, Hall, Hoag, Hotchkiss, Hunt, Jennings,

Jones, Lambert, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Paulk, Price of Muscatine, Reed, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—58.

Absent or not voting—Bowdoin, Campbell, Darling, Goodrell, Hedges, McCullough of Jackson, Noble, Price of Lee.

The amendment did not prevail.

Mr. Peet offered the following amendment :

Provided, however, That the said Commissioners shall not be authorized to employ Henry S. Winslow, as said Superintendent. Lost.

Mr. Kellogg offered the following amendment and called for the yeas and nays :

Provided, That \$75,000 shall be paid out of the moneys in the treasury not otherwise appropriated, and the Auditor is hereby directed not to draw any warrant on the treasury for the objects of this act until he is notified by the treasurer that said \$75,000 is in the treasury, not subject to any other order, warrant or appropriation.

The yeas and nays were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bowdoin, Bracewell, Bennett, Clark of Des Moines, Claggett, Conner, Cowing, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Gue, Harris, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Parker, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren—36.

The nays were—Messrs. Bemis, Bereman, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Hall, Hoag, Hotchkiss, Hunt, Jennings, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—42.

Absent or not voting—Messrs. Campbell, Cottell, Darling, Haskell, Hedges, Noble, Price of Lee, Taylor.

The amendment did not prevail.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Barnes, Bemis, Bereman, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Hall, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—46.

The nays were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Gue, Haskell, Harris, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Parker, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren—35.

Absent or not voting—Messrs. Darling, Hedges, Noble, Price of Lee, and Stevens.

The bill was passed and title agreed to.

Mr. Hall moved to reconsider the vote last taken and postpone the reconsideration till to-morrow.

Mr. Wright moved to lay the motion to reconsider on the table.

Mr. Bennett demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Bemis, Bereman, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Withrow, Witter, Wright—42.

The nays were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bennett, Clark of Des Moines, Claggett, Conner, Cowing, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—39.

Absent or not voting—Barnes, Campbell, Darling, Noble, Price of Lee.

The motion to lay on the table prevailed.

Mr. Curtis moved to take up house file number 341, a bill for an act in relation to the government of the Penitentiary of Iowa.

The bill was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens,

Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—74.

The nays were—Messrs. Barnes, Rees, Riddle—3.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Jefferson, Darling, Goodrell, Hotchkiss, Noble, Price of Lee, Price of Muscatine.

The bill was passed and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I herewith present for your signature, senate file number 126, an act to establish a Code of civil practice, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

Mr. Hall moved to take up house file number 238, an act for the incorporation and government of the hospital for the Insane. Carried.

Mr. Clark, of Johnson, moved to amend section one as follows: Strike out in third line, after the word "Insane," to the word "act" in the sixth line inclusive. Carried.

Mr. Clark, of Johnson, moved to strike out section eight. Carried.

Mr. Shipmain moved to appoint a committee of six to choose names for trustees of the Asylum. Carried.

The chair appointed as such committee, Messrs. Hall, Caldwell, Baker, Withrow, Claggett and Gurley.

Mr. Gurley, by leave, introduced house file number 371, a bill for an act to provide for a levy of tax for State purposes for the year 1860, which was read a first and second time, and passed on file.

Mr. Caldwell moved that when this house adjourns, it be to 7 o'clock this evening. Carried.

On motion of Mr. Kellogg, the House adjourned.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Gue from the committee on agriculture, by leave submitted the following report:

The committee on agriculture to whom was referred substitute for senate file number 69, have had the same under consideration, and have directed me to report the following substitute and recommend its passage.

Your committee cannot believe it would be good policy to repeal the law providing for the publication of the report of the State Agricultural Society, thus virtually preventing the circula-

tion and distribution of a large amount of valuable information collected from every county society in the State. We believe there is no State in the Union having a State Agricultural Society, in which they refuse to publish the Report, and we cannot believe that any considerable number of our citizens would desire the repeal of this law, thus destroying, to a great extent, the usefulness of the Society. Your committee therefore recommend that the number of copies published by the State, be fixed by law, and have so reported in the bill reported.

B. F. GUR, Ch'n.

Which report was received, and the bill passed on file.

Mr. Mangold, by leave, introduced house file number 372, a bill for an act to provide for the publication of the General Laws in the German language, which was read a first and second time and passed on file.

Mr. Caldwell from the judiciary committee, submitted the following report :

The judiciary committee, to whom was referred house file number 347, a bill for an act providing for the payment of expenses incurred by the Attorney General in the case of the State of Iowa, vs. Wm. Tiglman, et al, have had the same under consideration, and the undersigned, members of the committee, recommend that the bill be indefinitely postponed.

CALDWELL, Chairman.

Which report was concurred in.

Mr. Harris, from select committee, submitted the following report :

Your committee, to whom was referred house file number 247, beg leave to report the same back, with an amendment, by striking out section second of the act and recommend the passage of the same.

D. M. HARRIS.

Which report was received and the bill passed on file.

BILLS ON FIRST READING.

Senate file number 219, joint resolution for additional mail facilities, was taken up, read a first and second time, the rule suspended, the bill read a third time and passed.

Senate file number 198, a bill for an act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines Improvement Grant as school lands, was read a first and second time and passed on file.

Senate file number 202, a bill for an act authorizing the County Judge of Polk county to appropriate a portion of the proceeds of swamp lands for the completion of a court house, was read a first and second time and passed on file.

Senate file number 208, an act to prohibit members of county boards of Supervisors from borrowing public money, or dealing

in the public property, was taken up, read a first and second time and passed on file.

Senate file number 221, an act to provide for the allotment of terms of Senators, was read a first and second time and placed on file.

Substitute for senate file number 167, a bill for an act entitled an act requiring witness fees to be paid into the county treasury, was read a first and second time and passed on file.

Senate file number 164, a bill for an act to regulate the compensation of clerks of the District Courts, was read a first and second time and passed on file.

Senate file number 124, a bill for an act requiring banking corporations to make quarterly statements, was taken up, read a first and second time and passed on file.

Senate file number 181, a bill for an act to prevent the sale or transfer of certain swamp lands, was taken up, read a first and second time and passed on file.

Senate file number 215, a bill for an act regulating the State printing, was read a first and second time and passed on file.

Senate file number 183, a bill for an act entitled an act for the relief of certain preemptors of school lands, was taken up, read a first and second time and passed on file.

Senate file number 206, a bill for an act to amend chapter 188 of the acts of the sixth General Assembly, was read a first and second time and passed on file.

Senate file number 199, a bill for an act authorizing the construction of dams on the Nishnabotany river, was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bracewell, Bennett, Blackford, Bremner, Clark of Johnson, Clark of Des Moines, Conner, Cottell, Cowing, Curtis, Davis of Jasper, Davis of Johnson, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Harris, Hoag, Hunt, Jennings, Kellogg, Lambert, Macomber, Mangold, McCullough of Lee, Millard, Merrill, Morehead, Price of Muscatine, Quinn, Reed, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stevens, Streeter, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, and Witter—52.

The nays were—Messrs. Caldwell, McCullough of Jackson, Raddick, and Stanton—4.

Absent or not voting—Messrs. Bemis, Bereman, Bowdoin, Campbell, Clark of Jefferson, Claggett, Crawford, Doggett, Darling, Dennison, Dunlavey, Gurley, Haskell, Hedges, Hotchkiss, Jones, LeLacheur, Lynch, McQuinn, Mitchell, Moser, Noble, Parker, Paulk, Peet, Price of Lee, Rees, Riddle, Taylor, Williams, Wright, Mr. Speaker.

The bill was passed and title agreed to.

Senate file number 212, joint resolution for additional mail facilities, was read a first and second time, when Mr. Robb moved to insert "tri" before "weekly" in the 14th line of the bill. Carried.

The resolution was then read a third time and adopted.

Substitute for senate file number 106, a bill for an act to provide for adjusting and paying costs incurred in the adjustment and collection of the School Fund, was read a first and second time and passed on file.

Senate file number 96, a bill for an act to amend an act entitled an act to prevent trespass or waste on swamp or other lands in the State of Iowa, and for other purposes, was read a first and second time and passed on file.

Senate file number 209, a bill for an act relating to the Journals of the Senate and House of Representatives, was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Claggett, Conner, Crawford, Doggett, Davis of Jasper, Davis of Johnson, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hunt, Lambert, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter—56.

The nays were—Messrs. Beal, Barnes, Bennett, Clark of Jefferson, Curtis, Haskell, Jennings, Kellogg, Rees, Robinson—10.

Absent or not voting—Messrs. Bemis, Campbell, Clark of Des Moines, Cottell, Cowing, Darling, Dennison, Dunlavey, Hotchkiss, Jones, LeLacheur, Lynch, Mitchell, Noble, Paulk, Peet, Price of Lee, Rees, Riddle, Robinson, Wright, and Mr. Speaker.

The bill was passed and title agreed to.

Mr. Goodrell moved to take up senate file number 202, a bill for an act authorizing the county judge of Polk county to appropriate a portion of the proceeds of the swamp lands for the completion of a court house. Carried.

Mr. Goodrell moved to amend as follows:

Add to section one the following: Provided that nothing in this act shall be so construed as to authorize the said county judge to sell or otherwise dispose of or incumber any of said swamp lands belonging to Polk county, without first submitting the question to the electors of said county, and it shall have received the approval of a majority of said electors at a special or general election held for that purpose. Carried.

The rule was suspended, the bill read a third time, and upon

- the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Gillett, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Hedges, Hoag, Hunt, Jennings, Kellogg, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright—60.

The nays were—Messrs. Beal, Bennett, Campbell, Cowing, Doggett, Ellis, Harris, Jones, Lambert, McQuinn, Mitchell, Reed, Ruddick, Stanton—14.

Absent or not voting—Bemis, Claggett, Darling, Dennison, Dunlavey, Glasgow, Hotchkiss, LeLacheur, Noble, Price of Lee, Riddle, and Mr. Speaker.

The bill was passed and the title agreed to.

Mr. Gurley, by leave, introduced house file number 373, a bill for an act to legalize the acts of James T. Lane, a Notary Public, which was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hunt, Jennings, Jones, Kellogg, Lambert, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Wright—61.

The nays were—Messrs. Campbell, Clark of Jefferson, Curtis, Doggett, Ellis, Gniffke, Hotchkiss, Lynch, McCullough of Lee, Mitchell, Reed, Stanton, Stevens, Whitaker—14.

Absent or not voting—Bemis, Darling, Dennison, Dunlavey, LeLacheur, Noble, Price of Lee, Rees, Riddle, and Mr. Speaker.

The bill was passed and the title agreed to.

Mr. Hall, from select committee, reported the following names for trustees of the Insane Asylum: D. L. McGugin, J. D. Elbert, T. W. Kinkaid, J. B. Lash, Samuel McFarland, Harpis Riggs, and Maturin L. Fisher.

The report was concurred in.

Mr. Wright moved to amend the bill as follows:

Strike out the word "judge" in the fourth line of section eighth.

teen and insert "clerk," and strike out "county" in the fifth line, and insert "board of Supervisors." Adopted.

Mr. Hall moved to add a new section, 28, as follows:

Section 28. That for the purposes of furnishing the rooms and other apartments of said hospital, and paying the salaries of officers and expenses of servants and other necessities, there is hereby appropriated the sum of eight thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, to be audited and paid upon the order of the board of trustees, provided that the money shall not be drawn from the treasury until the building is finished so as to receive patients. Carried.

The rule was then suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gurley, Hall, Haskell, Hedges, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Price of Muscatine, Quinn, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter and Wright—51.

The nays were—Messrs. Beal, Barnes, Bowdoin, Bennett, Curtis, Doggett, Ellis, Gniffke, Gue, Harris, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, Parker, Paulk, Peet, Reed, Rees, Robb, Stanton, Stevens, Whitaker, Williamson of Warren—27.

Absent or not voting—Messrs. Bemis, Campbell, Darling, Dunlavey, Noble, Price of Lee, Riddle, and Mr. Speaker.

The bill was passed and the title agreed to.

Substitute for senate file number 200, a bill for an act amendatory of chapter 114 of the laws of the seventh General Assembly, entitled an act authorizing general banking in the State of Iowa, was taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Campbell, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Hall, Harris, Hedges, Hoag, Hunt, Jennings, Jones, Kellogg, LeLacheur, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Sabin, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter and Wright—50.

The nays were—Messrs. Bowdoin, Bennett, Caldwell, Clark of

Johnson, Clark of Jefferson, Davis of Jasper, Glasgow, Gue, Lambert, Lynch, Mangold, Merrill, Morehead, Moser, Peet, Quinn, Rosenkrans, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter—24.

Absent or not voting—Barnes, Blackford, Bremner, Darling, Haskall, Hotchkiss, LeLacheur, Mitchell, Noble, Price of Lee, Riddle, Taylor, and Mr. Speaker.

The bill was passed and the title agreed to.

Mr. Kellogg, by leave, introduced house file number 374, a bill for an act providing for submission to the people of the act in amendment of chapter 114 of the 7th General Assembly; which was read a first and second time, and passed on file.

Mr. Jones, by leave, introduced house file number 375, a bill for an act to change the corporation of Winterset, in Madison county; which was read a first and second time, and placed on file.

Mr. Bereman, by leave, introduced house file number 376, joint resolution in relation to the reduction of certain rates of duties on certain exported products; which was read a first and second time, the rule suspended, and the resolution read a third time and passed.

Mr. Caldwell, by leave, introduced house file number 377, which was read a first and second time, and referred to the judiciary committee.

Mr. Goodrell, by leave, introduced house file number 378, a bill for an act to appoint commissioners to take charge of and make settlement of the loans of the school fund made by James D. Eads, Superintendent of Public Instruction for the State of Iowa; which was read a first and second time, and passed on file.

Mr. Conner, by leave, introduced house file number 379, joint resolution; which was read a first and second time, the rule suspended, the resolution read a third time, and passed on file.

Mr. Gurley, by leave, introduced house file number 380, a bill for an act to change the fiscal year, and to define the duties of State officers in certain cases; which was read a first and second time, and passed on file.

Mr. Gurley, by leave, introduced house file number 381, a bill for an act to amend section 78 of the Code; which was read a first and second time, and passed on file.

Mr. Paulk, by leave, introduced house file number 382, a bill for an act to authorize the census board to make rules adapting the laws of the present session to previous laws, and to furnish practical forms to be used in township and county offices; which was read a first and second time, and placed on file.

Mr. Gillett, from the committee on county and township organization, submitted the following report: The committee to whom was referred house file 307, request me to report the same back, and recommend its passage.

GILLETT.

The committee to whom was referred house files numbers 275

and 294 have requested me to report the following substitute, and recommend its passage. GILLET, Chairman.

The reports were received, and the bills placed on file.

Mr. Wright, by leave, introduced house file number 383, joint resolution asking for additional mail facilities; which was read a first, second and third time, and adopted.

Mr. Bennett moved to adjourn. Lost.

Mr. Claggett, by leave, introduced house file number 384, a bill for an act to change the name of "John Brown;" which was read a first and second time, and passed on file.

Mr. Clark, of Des Moines, by leave, introduced house file number 385, joint resolution; which was read a first, second and third time, and adopted.

Mr. Cowing, by leave, introduced house file number 386, a bill for an act to amend the Civil Code; which was read a first and second time, and passed on file.

Mr. Baker moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Thursday, March 29th, 1860. }

House met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Rosenkrans moved to take up house file number 368, joint resolution for the election of Trustees of the State Agricultural College and Farm, which was done, the bill read a second time, the rule suspended, the bill read a third time, and adopted.

Mr. Taylor moved to take up substitute for house file number 84, an act to prevent counties, cities and towns from taking stock in works of internal improvement and banking institutions. Carried.

Mr. Riddle moved to re-commit the bill, with instructions to strike out section two of the bill. Lost.

The question then recurring on the Senate amendment to the bill, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Haskall, Harris, Hedges, Hotchkiss, Kellogg, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard,

Mitchell, Merrill, Morehead, Paulk, Price of Muscatine, Reed, Rees, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Withrow, and Mr. Speaker—58.

The nays were—Messrs. Bowdoin, Clark of Des Moines, Claggett, Dunlavey, Hoag, Hunt, Parker, Riddle, Robinson, Williamson of Warren—10.

Absent or not voting—Messrs. Darling, Dennison, Gue, Gurley, Hall, Jennings, Jones, Lynch, Moser, Noble, Peet, Price of Lee, Quinn, Robb, Sabin, Williams, Witter, Wright.

The amendments were concurred in.

Mr. Claggett moved to suspend the rule, and take up senate file number 173, a bill for an act for the suppression of intemperance, and to regulate the sale of malt, spirituous and vinous liquors in the State of Iowa, and on the question, demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Campbell, Clark of Des Moines, Claggett, Conner, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gniffke, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, McCullough of Jackson, McCullough of Lee, Paulk, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Taylor, Williamson of Warren, Witter—33,

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Davis of Johnson, Dennison, Gillett, Glasgow, Gue, Gurley, Haskall, Hoag, Hunt, Lambert, LeLacheur, Macomber, Mangold, Millard, Mitchell, Merrill, Morehead, Parker, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Wright, and Mr. Speaker—42.

Absent or not voting—Messrs. Darling, Goodrell, Kellogg, Lynch, McQuinn, Moser, Noble, Peet, Price of Lee, Quinn and Streeter.

The motion was lost.

Message from the Senate:

Mr. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate file number 210, an act to amend chapter 160 of the acts of the 7th General Assembly.

Senate file number 25, an act to provide for the payment of the late school fund commissioners.

I also return the following house files, the same having passed the Senate without amendment:

House file number 230, an act relating to the publication of ordinances, and other acts of city governments.

House file number 318, joint resolution for additional mail facilities.

House file number 355, an act to legalize the acts of the city council of Fort Madison, Lee county, in vacating Oriental street, and to confirm the title of said street to the State of Iowa.

House file number 345, joint resolution for additional mail facilities.

House file number 151, an act to amend an act to provide for levying a tax on certain lands to complete and keep in repair a levee on Muscatine Island, and for the election of a levee commissioner to superintend the same.

And house file number 358, an act to amend an act entitled an act to provide a system of common schools.

House file number 362, joint resolution for additional mail facilities.

I herewith return house file number 352, an act providing for auditing accounts for publishing laws in newspapers, the same having passed the Senate with an amendment, in which the concurrence of the House is asked.

I also return house file number 158, an act to define the powers and duties of county surveyors, the Senate having indefinitely postponed the further consideration of the same.

I am further directed to inform the House that the Senate has appointed Senators Thompson, McPherson and Trumbull, a committee of conference to act with a similar committee on the part of the House, in relation to senate file number 88, an act to regulate the foreclosure of mortgages and deeds of trust, with power of sale on real estate.

I also present for your signature, senate file number 180, an act for the relief of Jno. J. Bell, a defaulting school fund commissioner, and the sureties upon his official bond, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate: Senate files numbers 205, 109 and 171.

J. H. SANDERS, Sec'y of Senate.

The House then took up the special order, being house file number 335, an act in relation to revenue, and Mr. Robb moved to amend by striking out the 5th sub-division of section one, and inserting the following: "In no county, township or district, shall the whole amount of special taxes levied exceed five mills on the dollar in any one year."

On which Mr. Claggett demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bennett, Clark of Johnson, Clark of Des Moines, Conner, Cottell, Crawford, Curtis, Davis of Jasper, Dennison, Gillett, Gniffke, Goodrell, Gue, Hall, Haskell, Hunt, Jennings, Jones, Kellogg,

Mangold, Merrill, Moser, Parker, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Streeter, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—42.

The nays were—Messrs. Barnes, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Claggett, Cowing, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gurley, Harris, Hedges, Hoag, Hotchkiss, Lambert, LeLacheur, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Paulk, Peet, Price of Muscatine, Shipman, Stanton, Stevens, Whitaker, Williamson of Louisa, Wright—36.

Absent or not voting—Messrs. Doggett, Darling, Haskall, Mitchell, Noble, Price of Lee, Quinn, Reed.

The motion prevailed.

Mr. Bowdoin moved to reconsider the vote last taken. Carried.

The question then recurring on the amendment of Mr. Robb,

Mr. Curtis moved to amend by striking out the subdivision. Carried.

The motion of Mr. Robb, as amended, prevailed, and the subdivision was stricken out.

Mr. Bowdoin moved to amend the 4th subdivision by striking out 'one' before 'mills,' and inserting 'three.'

Mr. Rees moved to insert 'fifteen' instead of 'three.' Lost.

Mr. Bowdoin's motion was lost.

Mr. Gurley moved to strike from the seventh line of section sixty-six, the words "contrary to the substantial requirements of law," and insert 'to defraud the owners of such real property.' Carried.

Mr. Paulk moved to add to the tenth line of section 66, the following: 'and to pay to the injured party all damages sustained by any such wrongful act and that all such sales shall be void. Carried.

Mr. Kellogg moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Gurley from the committee on ways and means, reported back senate file number 196, a bill for an act to pay the commissioners of revision, recommending its passage.

The bill was read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass?

The yeas were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Parker,

Paulk, Price of Muscatine, Quinn, Reed, Rosenkrans, Robb, Rud-dick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Wil-liams, Williamson of Louisa, Williamson of Warren, Withrow, and Mr. Speaker—53.

The nays were—Messrs. Baker, Beal, Bemis, Bracewell, Bennett, Campbell, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Kellogg, LeLacheur, Rees, Riddle, Stevens, Whitaker, Wright.—18.

Absent or not voting—Messrs. Bemis, Clark of Des Moines, Crawford, Darling, Dennison, Hotchkiss, Jennings, Jones, Mc-Cullough of Jackson, Merrill, Noble, Peet, Price of Lee, Robinson, and Witter.

The bill was passed and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Sen-ate has passed the following bills in which the concurrence of the house is asked:

Senate file number 194, an act to amend an act passed by the Board of Education, December 24, 1859, entitled an act to provide a system of common schools.

Senate file number 192, an act relating to municipal incorpora-tions.

Senate file number 161, an act to amend section 2548 of the Code, amending said section by making 10 hours a day, instead of 6 hours.

I am further directed to inform the house that the senate has concurred in the amendment to the resolution in relation to ad-journment on next Tuesday.

J. H. SANDERS, Sec'y of Senate.

Mr. Rees moved to reconsider the vote taken yesterday, whereby house file number 347, a bill for an act providing for the payment of expenses incurred by the Attorney General in the case of the State of Iowa, vs. William Tighlman et al, was indefinitely post-poned. Carried.

Mr. Clark of Johnson moved to refer the bill to committee on claims. Carried.

Mr. Clark of Johnson from a conference committee, reported back senate file number 88, a bill for an act to regulate the foreclo-sure of Deeds of Trust and mortgages, with powers of sale on real estate, and recommended that the House recede from its amend-ments to the bill.

Which report was concurred in.

The rule was then suspended, the bill read a third time, and upon the question, shall the bill pass?

The yeas were—Messrs. Barnes, Bemis, Bowdoin, Bracewell, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Cowing, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow,

Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Lambert, Macomber, McQuinn, Millard, Mitchell, Morehead, Paulk, Price of Muscatine, Quinn, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Taylor, Tompkins, Williamson of Louisa, and Withrow.—45.

The nays were—Messrs. Baker, Bereman, Bennett, Blackford, Conner, Cottell, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Kellogg, LeLacheur, Mangold, McCullough of Lee, Merrill, Parker, Peet, Reed, Rees, Riddle, Robb, Streeter, Whitaker, Williams, Williamson of Warren, Wright and Mr. Speaker.—29.

Absent or not voting—Beal, Campbell, Crawford, Darling, Jennings, Lynch, Moser, McCullough of Jackson, Noble, Price of Lee, Stevens, Witter.

The bill was passed, and the title agreed to.

Mr. Williamson of Warren moved to take house file number 214, a bill for an act to regulate jury fees in cases of change of venue from the table, and place it on file. Carried.

Mr. Clark of Johnson from the select committee on appraisement, reported back senate file number 6, a bill for an act to provide for the appraisement of property sold under execution, and recommended that the house recede from its amendment and pass the bill. Which was concurred in.

The rule was then suspended, and the bill read a third time, when

Mr. Claggett moved to place the bill back upon its second reading for amendment. Lost.

On the question, shall the bill pass?

The yeas were—Messrs. Beal, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, McQuinn, Millard, Morehead, Moser, Price of Muscatine, Quinn, Rees, Robinson, Rosenkrans, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, and Mr. Speaker—54.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Cottell, Gniffke, Gurley, Hall, Hoag, Mangold, Merrill, Parker, Paulk, Peet, Reed, Riddle, Robb, Williams, Williamson of Warren, and Wright—20.

Absent or not voting—Messrs. Darling, Davis of Johnson, Jennings, McCullough of Jackson, McCullough of Lee, Mitchell, Noble, Price of Lee, Shipman, Stevens, Whitaker, Witter.

The bill was passed and the title agreed to.

The unfinished business being house file number 335, an act in relation to revenue was taken up, when

Mr. Hall offered the following amendment to section 71: In the

7th line, after the word 'receipt' insert 'where real estate has been sold for taxes and not redeemed, and is again sold for taxes, upon redemption the first sale shall be void and no redemption shall be required from such sale.' Lost.

Mr. Hall moved to add to section 71, the following: Provided further, that in cases when the property sold is owned by infants, idiots or insane persons, they may redeem at any time before the disability is removed, by paying the amount for which the real estate was sold with one half of the per cent. penalty required in this section, upon which

Mr. Claggett demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bennett, Blackford, Bremner, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Crawford, Curtis, Doggett, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Hall, Harris, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Moser, Paulk, Peet, Reed, Riddle, Robinson, Rosenkrans, Shipman, Stevens, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow—42.

The nays were—Messrs. Bemis, Bowdoin, Bracewell, Caldwell, Cowing, Davis of Jasper, Davis of Johnson, Gillett, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Merrill, Morehead, Parker, Price of Muscatine, Quinn, Rees, Robb, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Witter, Wright, and Mr. Speaker—36.

Absent or not voting—Messrs. Campbell, Clark of Johnson, Darling, Hedges, Hotchkiss, Noble, Price of Lee, Williams.

The amendment was adopted.

Mr. Kellogg moved to insert in section two, the following:

"Improvements on farms (when occupied by the owners, also all buildings valued at two hundred dollars (\$200) and less, which are occupied by the owners,) upon which

Mr. Bennett demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Clark of Des Moines, Conner, Curtis, Doggett, Dunlavey, Ellis, Gillett, Gniffke, Hall, Haskell, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, LeLacheur, McCullough of Lee, Millard, Paulk, Peet, Rees, Riddle, Robinson, Stevens, Withrow—30.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Gue, Gurley, Hoag, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Merrill, Morehead, Quinn, Reed, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tomp-

kins, Whitaker, Williams, Williamson of Louisa, Witter, Wright
Mr. Speaker—47.

Absent or not voting—Claggett, Darling, Jennings, Noble, Parker, Price of Lee, Price of Muscatine, Robb, Williamson of Warren.

Amendment lost.

Mr. Claggett moved to add the following to section two :

Also the homestead of the actual occupant to the extent of five hundred dollars in value, but when the homestead exceeds five hundred dollars in value, the excess over shall be subjected to taxation in the same manner as other real estate.'

Mr. Williamson of Louisa moved to insert 'two hundred and fifty' for the words 'five hundred.' Lost.

Mr. Bennett offered the following substitute :

'All buildings not worth more than two hundred dollars, (\$200) and occupied by the owner,' and demanded the yeas and nays which were as follows :

The yeas were—Messrs. Baker, Beal, Bracewell, Bennett, Clark of Des Moines, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Mangold, McCullough of Lee, Millard, Paulk, Peet, Rees, Robinson, Rosenkrans, Stevens, Williams, Withrow.—31.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hoag, Lambert, Lynch, Macomber, McQuinn, Mitchell, Merrill, Morehead, Moser, Parker, Quinn, Reed, Riddle, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Witter, Wright, and Mr. Speaker—44.

Absent or not voting—Campbell, Claggett, Darling, Gniffke, McCullough of Jackson, Noble, Price of Lee, Price of Muscatine, Taylor, Whitaker, and Williamson of Warren,

The substitute was not adopted.

The question then recurring on Mr. Claggett's amendment, he demanded the yeas and nays, which were as follows :

The yeas were—Messrs. Beal, Bennett, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jones, Kellogg, LeLacheur, McCullough of Lee, Millard, Moser, Paulk, Peet, Reed, Rees, Riddle, Robinson, Rosenkrans, Stevens, Whitaker, Williamson of Louisa, Withrow—32.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Gurley, Hoag, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Mer-

rill, Mitchell, Morehead, Parker, Price of Muscatine, Quinn, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Witter, Wright and Mr. Speaker—45.

Absent or not voting—Campbell, Crawford, Darling, Gniffke, McCullough of Jackson, Noble, Price of Lee, Taylor, Williamson of Warren.

Amendment lost.

Mr. Beal moved to amend section 99 as follows :

In the first line after 'equalization,' insert 'by township assessors,' and on the question called for the yeas and nays, which were as follows :

The yeas were—Messrs. Beal, Bennett, Claggett, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hedges, Jones, Kellogg, LeLacheur, McCullough of Lee, Paulk, Peet, Rees, Riddle, Robinson, Whitaker, Williams,—21.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Jennings, Lambert, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Parker, Price of Mus., Quinn, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—50.

Absent or not voting—Messrs. Campbell, Conner, Clark of Des Moines, Darling, Davis of Johnson, Hotchkiss, Lynch, McCullough of Jackson, Moser, Noble, Price of Lee, Stevens, Taylor, Williamson of Warren.

Amendment lost.

Mr. Curtis moved to amend the 11th subdivision of section two by adding as follows : 'And the improvements on all farms not exceeding five hundred dollars in value, and demanded the yeas and nays, which were as follows :

The yeas were—Messrs. Bennett, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Gniffke, Hall, Haskell, Harris, Hedges, Hotchkiss, Jones, Kellogg, LeLacheur, Macomber, Millard, Moser, Paulk, Peet, Rees, Riddle, Robinson, Rosenkrans, Stevens, Whitaker, Williamson of Louisa, Withrow—31.

The nays were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Johnson, Dennison, Glasgow, Goodrell, Gue, Gurley, Hoag, Hunt, Jennings, Lambert, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Morehead, Parker, Price of Muscatine, Quinn, Reed, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Witter, Wright, Mr. Speaker—45.

Absent or not voting—Messrs. Darling, Noble, Price of Lee, Taylor, Williamson of Warren.

The amendment did not prevail.

Mr. Curtis moved to amend section three as follows :

After the word 'otherwise' in third line, insert the following:—
'and lands which are or have been granted by the United States or by this State to incorporated companies for pecuniary profit upon terms and conditions which have been or may hereafter be accepted by said company, from the date of said acceptance. And should said lands be forfeited by said companies; any taxes due thereon at the time the land reverts to the State or to the United States, shall be cancelled by the proper county authorities of the county in which the land lies; and demanded the yeas and nays which were as follows:

The yeas were—Messrs. Beal, Curtis, Doggett, Haskall, Rees, Stevens, Williamson of Louisa, Withrow—8.

The nays were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gue, Gurley, Hall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Williams, Witter Wright—67.

Absent or not voting—Messrs. Campbell, Olaggett, Darling, Glasgow, Hedges, McCullough of Jackson, Noble, Price of Lee, Taylor, Williamson of Warren, and Mr. Speaker.

Amendment lost.

Mr. Paulk moved to amend section 14 as follows: In first line after word 'credits,' insert 'and personal property.' Lost.

Mr. Gurley moved to amend section 75 by adding: Provided that in any case where a person has paid his taxes, and through mistake in the entry made in the Treasurer's books or in the receipts, the land upon which the taxes were paid was afterwards sold, the Treasurer's deed shall not convey the title. Which was adopted.

Message from the Senate.

MR. SPEAKER:—I herewith present for your signature, senate files numbers 200, 71, 75, 204 and 194, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

The House then concurred in the amendments made in committee of the whole.

Mr. Caldwell moved to insert a new section to be numbered 7:

Sec. 7. It shall be the duty of the several assessors of the county or township in which any railroad may be situated, to appraise the number of miles of railroads running through the several counties, at a rate of not less than \$500 per mile, nor more than \$5,000 per mile; which valuation shall be inclusive of the capital stock, Depot buildings and rolling stock of the said railroad, and the road bed, but shall not include any other real estate, either lands or town lots, which may be owned by such railroads; and all taxes assessed against any railroad company, shall be collectable and payable in the counties where the railroads are situated, and in case default shall be made in the payment of the taxes due in any county, the same shall be collectable by distress upon any of the rolling stock, or other personal property of any railroad companies, and all taxes shall be a lien prior to any mortgage or other incumbrance now in existence, or which may be in existence hereafter against any of said railroad companies; and demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Gillett, Glasgow, Gniffke, Haskall, Harris, Hunt, Jones, Lambert, LeLacheur, McCullough of Jackson, Millard, Mitchell, Morehead, Parker, Price of Muscatine, Reed, Ruddick, Shipman, Stanton, Stevens, Williamson of Louisa, and Withrow.—38.

The nays were—Messrs. Baker, Bowdoin, Bennett, Bremner, Clark of Des Moines, Claggett, Conner, Crawford, Dennison, Ellis, Goodrell, Gue, Gurley, Hall, Hedges, Hoag, Hotchkiss, Jennings, Kellogg, Lynch, Macomber, Mangold, McQuinn, Merrill, Moser, Paulk, Peet, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Streeter, Tompkins, Whitaker, Williams, Williamson of Warren, Witter, Wright and Mr. Speaker—42.

Absent or not voting—Messrs. Campbell, Darling, McCullough of Lee, Noble, Price of Lee, Taylor.

Amendment lost.

Mr. Gurley moved to amend section 76 as follows:

After the word 'time' in the 2d line insert 'or whenever land is sold in consequence of error in describing such land in the tax receipt,' and at the end of the section add, 'Provided always that the treasurer or his sureties shall be liable only for his own or his deputies acts.' Carried.

Mr. Lynch moved to reconsider the vote whereby the amendment offered by Mr. Caldwell as section 7, was lost.

Mr. Baker moved to lay the motion on the table, and on that question demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bennett, Bremner, Clark of Des Moines, Claggett, Conner, Ellis, Goodrell, Gue, Gurley, Hall, Hedges, Hoag, Hotchkiss, Jennings, Jones, Kellogg,

LeLacheur, Mangold, McCullough of Lee, McQuinn, Merrill, Moser, Paulk, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Whitaker, Williams, Witter, Wright, and Mr. Speaker—37.

The nays were—Messrs. Barnes, Bemis, Bereman, Bracewell, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Gillett, Glasgow, Gniffke, Harris, Hunt, Lambert, Lynch, Macomber, McCullough of Jackson, Millard, Mitchell, Morehead, Parker, Peet, Price of Muscatine, Reed, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow—42.

Absent or not voting—Messrs. Campbell, Darling, Dennison, Noble, Price of Lee, Taylor.

The motion was lost.

The question then recurring on the reconsideration, Mr. Bennett demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bracewell, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Haskell, Harris, Hotchkiss, Hunt, Lambert, LeLacheur, Lynch, Macomber, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Morehead, Parker, Peet, Price of Muscatine, Quinn, Reed, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Williamson of Louisa, Withrow, and Mr. Speaker.—46.

The nays were—Messrs. Baker, Beal, Bowdoin, Bennett, Brenner, Clark of Des Moines, Claggett, Conner, Crawford, Dennison, Ellis, Goodrell, Gue, Gurley, Hall, Hedges, Hoag, Jennings, Kellogg, Mangold, McQuinn, Merrill, Moser, Paulk, Rees, Riddle, Robinson, Rosenkrans, Robb, Whitaker, Williams, Williamson of Warren, Witter, Wright—35.

Absent or not voting—Campbell, Darling, Jones, Noble, Price of Lee, and Taylor.

The motion to reconsider prevailed.

Message from the Senate:

MR. SPEAKER:—I herewith present for your signature, senate file number 196, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

Mr. Caldwell moved to amend his amendment by inserting \$2500 instead of \$5000; which was accepted by his second.

Mr. Hall offered the following substitute to the amendment of Mr. Caldwell:

That said roads shall be taxed three per cent on the net earnings of the road, and it shall be the duty of the treasurer, or other financial officer of every railroad company, to return to the Co. Judge, or Board of Supervisors, as the case may be, at such time as said board shall fix, a full and complete statement of the earnings of

the railroad of which he is an officer; also, the cost of running the road, with all necessary repairs, and a true balance of the net earnings of said road; which statement shall be sworn to by such officer. Thereupon the said board shall assess a tax upon the same, of not exceeding three per cent of the net earnings of said road, which shall be collected as other taxes. That said tax shall be levied in the county where the company has its principal office of business, and distributed pro rata per mile to the counties through which said road passes and does business.

Mr. Bennett moved to adjourn. Lost.

Mr. Sabin moved that when this House adjourns, it be till 7½ o'clock, this evening. Carried.

Mr. Sabin moved to adjourn. Carried.

7½ O'CLOCK, P. M.

House met pursuant to adjournment.

On motion of Mr. Caldwell, Mr. Bennett was excused for the remainder of the session.

Mr. Caldwell from the judiciary committee, submitted the following report:

The judiciary committee, to whom was referred a resolution on the subject of usury, have had the same under consideration, and the undersigned, members of said committee, report the following bill on that subject, and recommend its passage.

H. C. CALDWELL,
J. C. HALL,
I. C. CURTIS,

The report was received, and the bill being house file number 387, a bill for an act in relation to injunctions sought and defences set up on account of usury, was read a first and second time, and passed on file.

Mr. Lambert, from the committee on military affairs, submitted the following report: The committee on military affairs, to whom was referred a communication of the Governor, accompanied by petition and communications relative to Indian depredations on the Little Sioux River, have had the same under consideration, and beg leave to report that, in the opinion of your committee, no further legislation is necessary.

L. LAMBERT, Chairman.

Which report was received.

Mr. Caldwell, from the judiciary committee, submitted the following report:

The judiciary committee to whom was referred a resolution instructing the committee to inquire into the expediency of causing all laws pertaining to the duties of township officers to be published

in a separate volume, have had the same under consideration, and report the accompanying bill, and recommend its passage.

CALDWELL.

Which report was received, and the bill, being house file number 388, a bill for an act providing for the publication of certain laws, was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Hall, Haskell, Harris, Hedges, Hoag, Hunt, Jennings, Lambert, Macomber, Mangold, McCullough of Jackson, Millard, Merrill, Morehead, Paulk, Price of Mus., Quinn, Reed, Rees, Riddle, Rosenkrans, Robb, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—55.

The nays were—Messrs. Beal, Bemis, Bennett, Campbell, Clark of Des Moines, Claggett, Curtis, Doggett, Kellogg, Mitchell, Robinson, Whitaker—12.

Absent or not voting—Bowdoin, Darling, Dennison, Dunlavey, Gue, Gurley, Hotchkiss, Jones, LeLacheur, Lynch, McCullough of Lee, McQuinn, Moser, Noble, Parker, Peet, Price of Lee, Ruddick, Williams.

The bill passed and the title was agreed to.

The unfinished business pending at adjournment, being house file number 335, an act in relation to revenue, was taken up, and the question being upon the amendment offered by Mr. Hall, Mr. Claggett demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bremner, Campbell, Clark of Des Moines, Claggett, Conner, Dennison, Ellis, Goodrell, Gue, Gurley, Hall, Hedges, Hotchkiss, Hunt, Jennings, Jones, Mangold, McQuinn, Millard, Merrill, Moser, Paulk, Rees, Riddle, Robinson, Rosenkrans, Robb, Streeter, Taylor, Tompkins, Williamson of Warren, Witter, and Mr. Speaker—86.

The nays were—Messrs. Bemis, Bereman, Bowdoin, Bennett, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Gillett, Glasgow, Haskell, Harris, Hoag, Lambert, Lynch, Macomber, McCullough of Jackson, Mitchell, Morehead, Parker, Price of Muscatine, Quinn, Reed, Sabin, Shipman, Stanton, Stevens, Whitaker, Williamson of Louisa, Withrow, Wright—39.

Absent or not voting—Barnes, Darling, Gniffke, Kellogg, LeLacheur, McCullough of Lee, Noble, Peet, Price of Lee, Ruddick and Williams.

The amendment did not prevail.

The question then recurred on the last amendment of Mr. Caldwell, striking out \$5,000 and inserting \$2,500; upon which the yeas and nays were demanded, and were as follows:

The yeas were—Messrs. Bemis, Bereman, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Glasgow, Haskell, Harris, Hunt, Lambert, Lynch, Macomber, McCullough of Jackson, Mitchell, Morehead, Parker, Price of Muscatine, Quinn, Reed, Shipman, Stanton, Stevens, Williamson of Louisa, Withrow, Wright—83.

The nays were—Messrs. Baker, Beal, Bowdoin, Bennett, Bremner, Campbell, Clark of Des Moines, Claggett, Conner, Dennison, Ellis, Gillett, Goodrell, Gurley, Hall, Hedges, Hoag, Jennings, Mangold, McQuinn, Millard, Merrill, Moser, Paulk, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Streeter, Taylor, Tompkins, Whitaker, Williamson of Warren, Witter, and Mr. Speaker—37.

Absent or not voting—Darling, Gniffke, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Lee, Noble, Peet, Price of Lee, Ruddick, Williams, Gue, Dunlavey, Barnes and Bracewell.

The amendment was lost.

Mr. Baker moved that the rule be suspended, and the bill read a third time now. Carried.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Quinn, Rosenkrans, Robb, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—49.

The nays were—Messrs. Beal, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Davis of Johnson, Ellis, Glasgow, Gniffke, Harris, Hedges, Hotchkiss, McCullough of Jackson, Price of Muscatine, Reed, Rees, Riddle, Robinson, Stevens, Whitaker, Williamson of Louisa—24.

Absent or not voting—Barnes, Darling, Dunlavey, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Lee, Noble, Peet, Price of Lee, Ruddick, Williams.

The bill was passed and the title agreed to.

Mr. Cowing moved to reconsider the vote last taken on the passage of the bill.

Mr. Baker moved to lay the motion to reconsider on the table. Carried.

Mr. Robb moved to take up house file number 367, an act to provide for the canvassing of votes in Senatorial and Representative districts. Carried.

The bill was read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Bennett, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Merrill, Morehead, Parker, Paulk, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—67.

The nays were—Mr. Ellis—1.

Absent or not voting—Barnes, Darling, Dunlavey, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Moser, Noble, Peet, Price of Lee, Reed, Rudick, Whitaker, Williams.

The bill was passed and title agreed to.

Mr. Ellis moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Friday, March 30, 1860. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Young.

The Journal of yesterday read and approved.

Message from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills, in which the concurrence of the house is asked:

Senate file number 111, an act to legalize the sale of certain school lands in Tama county, made by L. S. Frederick, a school fund commissioner of said county.

Senate file number 223, an act in relation to railroad connections, and the hauling of freight cars on railroads.

Senate file number 224, an act conforming existing laws to the change made in the system of county government and organization.

Senate file number 225, an act providing for the submission to the people of an act to amend the general banking law.

I am also directed to inform the House that the Senate has passed, without amendment, house file number 341, an act in relation to the government of the Penitentiary of Iowa.

I also return house file number 333, an act protecting real estate on which the school and university funds have liens, from sale for taxes; the same having passed the Senate with amendments, in which the concurrence of the house is asked.

Also, house file 286, an act in relation to swamp land pre-emptors, the Senate having refused to pass the same.

J. H. SANDERS, Sec'y of Senate.

House file number 356, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide a system of common schools, was taken up and read a second time, when Mr. Bowdoin moved to add to section 86, "this act shall take effect and be in force from and after the second Monday in January, 1861, if approved by the Board of Education."

Mr. Rees moved to fill the first blank in section five with "10." Carried.

Mr. Robinson moved to fill the second blank with "15." Carried.

Mr. Gue moved to amend the second sub-division of section 30, by inserting "they shall provide for the education of colored youth in separate schools, when required by a majority of the legal voters of such district; upon which the yeas and nays were demanded, and were as follows:

The yeas were—Messrs. Bereman, Bowdoin, Blackford, Bremner, Clark of Jefferson, Cowing, Orawford, Davis of Jasper, Denison, Gillett, Glasgow, Gue, Gurley, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, Millard, Merrill, Moser, Parker, Quinn, Rudick, Sabin, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter—32.

The nays were—Messrs. Baker, Beal, Barnes, Bemis, Bracewell, Bennett, Caldwell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Curtis, Doggett, Davis of Johnson, Dunlavey, Ellis, Gniffke, Goodrell, Hall, Haskall, Harris, Hotchkiss, Jennings, Jones, LeLacheur, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Paulk, Peet, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Shipman, Stevens, Taylor, Whitaker, Williams, Williamson of Warren, Wright, and Mr. Speaker—48.

Absent or not voting—Messrs. Campbell, Darling, Hedges, Noble, Price of Lee, Rosenkrans.

The amendment was lost.

Mr. Baker moved that the rule be suspended, and the bill be read a third time now. Carried.

The bill was read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bracewell, Bennett, Bremner, Caldwell, Clark of Johnson, Clark of Des Moines, Claggett, Conner, Cottell, Cowing, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Jennings, Jones, Kellogg, LeLachour, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Parker, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Robb, Ruddick, Stevens, Streeter, Taylor, Whitaker, Williams, Williamson of Warren, Withrow, and Mr. Speaker—58.

The nays were—Messrs. Bemis, Bereman, Bowdoin, Blackford, Clark of Jefferson, Crawford, Davis of Jasper, Glasgow, Gue, Hunt, Lambert, Moser, Quinn, Riddle, Sabin, Shipman, Stanton, Tompkins, Williamson of Louisa, Witter and Wright—21.

Absent or not voting—Messrs. Beal, Campbell, Darling, Hedges, Noble, Price of Lee, Rosenkrans.

The bill was passed and the title agreed to.

Mr. Paulk, by leave, offered the following resolution :

Resolved, That 10,000 copies of house file 356 be printed and distributed by the Secretary of State, as nearly as may be, equally amongst the several counties of this State. Lost.

The House then took up house file number 357, a bill for an act to provide for a meeting of the Board of Education, which was read a first and second time, when Mr. Beal moved to amend by adding a new section, as follows :

Section 2. The next meeting of the Board of Education shall be held on the first Monday in April, A. D. 1864, and every three years thereafter. All acts and parts of acts conflicting with this act, are hereby repealed.

Lost.

Mr. Baker moved to suspend the rule, and read the bill a third time now. Carried.

On the question, shall the bill pass? the yeas and nays were as follows :

The yeas were—Messrs. Baker, Barnes, Bereman, Bowdoin, Bremner, Caldwell, Clark of Johnson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Johnson, Dennison, Ellis, Gillett, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Jennings, Kellogg, LeLachour, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Merrill, Morehead, Parker, Quinn, Reed, Riddle, Robinson, Robb, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—58.

The nays were—Messrs. Beal, Bemis, Bennett, Blackford, Campbell, Clark of Jefferson, Claggett, Davis of Jasper, Glasgow, Hunt, Lambert, Rees, Rosenkrans, Sabin, Wright—15.

Absent or not voting—Messrs. Bracewell, Conner, Darling, Dun-

lavey, Hedges, Jones, McQuinn, Moser, Noble, Paulk, Peet, Price of Lee, Price of Muscatine.

The bill was passed and the title agreed to.

Mr. Baker, by leave, offered the following resolution :

Resolved, That the thanks of this house be presented to Hon. John Edwards, for the able, impartial, and highly satisfactory manner in which he has discharged the duties of Speaker of the House during the present session of the General Assembly.

Which was adopted.

Mr. Dennison, from the committee on enrolled bills, submitted the following report :

Committee on enrolled bills, ask leave to report that they have examined the following bills, and find the same correctly enrolled:

House file number 170, a bill for an act to provide for the establishment of a Commissioner in the city of New York, to promote immigration to the State of Iowa.

House file number 327, a bill for an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque.

House file number 292, an act to legalize the taxes levied in Howard county, for the year 1859.

House file number 285, an act to authorize change of venue in certain cases.

Substitute for house file number 277, an act to legalize the levy of a school house tax in the district township of Jefferson, in Poweshiek county, Iowa.

House file number 307, an act in relation to the records of original title of lots in Iowa City.

J. W. DENNISON, Chairman.

House file number 325, an act making appropriations for the pay of State officers and other purposes, and defining the duties of State officers in certain cases, was taken up.

Mr. Baker moved the following amendments to the bill :

Insert as section 9. For payment of members of the Senate, including the Lieutenant Governor, for attendance at this session, the sum of eight thousand dollars, or so much thereof as their certificates may entitle them to.

Insert for section 10. For payment of members of the House of Representatives for attendance at this session, the sum of sixteen thousand dollars, or so much thereof as their certificates may entitle them to. Lost.

The amendments were then made to the bill :

Add to section two as follows : "And for contingent expenses of the Adjutant General's department, two hundred and twenty-five dollars."

Strike out all after "expenses," in the 4th line of section 7 to the word "and" in the 5th line of said section ; also, strike out "twelve" in 6th line, and insert "eighteen."

Add to section 9, "for contingent expenses of the Attorney General for two years, four hundred dollars."

In section 13, strike out "one thousand" and insert "fifteen hundred."

In section 14, strike out "one thousand" and insert "fifteen hundred."

In section 15, strike out "six hundred" and insert "one thousand, or so much thereof as may be necessary."

In section 16, strike out all after "Penitentiary" in first line to "for" in second line, and insert "the sum of three hundred dollars, or so much thereof as may be necessary to pay to them their salaries to the term of the expiration of their office."

The rule was suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—60.

The nays were—Messrs. Beal, Bennett, Campbell, Curtis, Doggett, Ellis, Jennings, Kellogg, LeLacheur, Paulk, Reed, Rees, Riddle, Robinson, Stevens, Taylor—16.

Absent or not voting—Claggett, Conner, Darling, Dunlavey, Hedges, Jones, Noble, Peet, Price of Lee, Williamson of Warren.

The bill was passed and the title agreed to.

The house then took up house file number 152, a bill for an act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines River Improvement Grant, as school lands.

The bill was taken up and read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bracewell, Bennett, Blackford, Bremner, Campbell, Clark of Des Moines, Conner, Crawford, Curtis, Davis of Johnson, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Morehead, Moser, Paulk, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Taylor, Withrow, Witter—41.

The nays were—Messrs. Barnes, Bereman, Bowdoin, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Cottell, Cowing,

Doggett, Ellis, Glasgow, Haskall, Jones, LeLacheur, Lynch, McCullough of Jackson, Morehead, Moser, Parker, Price of Muscatine, Reed, Ruddick, Shipman, Stanton, Stevens Tompkins, Williamson of Louisa, Wright—31.

Absent or not voting—Messrs. Darling, Davis of Jasper, Dunlavey, Gniffke, Lambert, Mitchell, Merrill, Noble, Peet, Price of Lee, Streeter, Williams, Williamson of Warren, and Mr. Speaker

The bill was not passed for want of a constitutional majority.

Mr. Claggett asked leave of absence for the remainder of the session. Granted.

Mr. Paulk moved to take up house file number 364, a bill for an act regulating the fees of certain county officers, and for defining their duties in certain cases; and also creating the office of treasurer and recorder. Carried.

The bill was taken up and read a second time, when Mr. Bremner moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Merrill asked leave of absence for the remainder of the session. Leave was granted.

The house took a recess of five minutes to take leave of Messrs. Claggett, Bennett and Merrill.

Mr. Wright, from the committee on claims, submitted the following report:

The committee on claims, to whom was referred house file number 347, have had the same under consideration, and have directed me to report a substitute therefor, and recommend its passage.

The house then took up the bill, being substitute for house file number 347, a bill for an act providing for the payment of expenses incurred by the Attorney General, in the case of the State vs. William Tighlman.

The bill was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rob-

inson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—79.

The nays were—Mr. Bereman—1.

Absent or not voting—Bennett, Claggett, Darling, Merrill, Noble.

The bill was passed and title agreed to.

Senate file number 96, a bill for an act to amend an act entitled an act to prevent trespass or waste on swamp or other lands in the State of Iowa, and for other purposes, approved January 25th, 1855; was taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Price of Lee, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—81.

The nays were—None.

Absent or not voting—Messrs. Bennett, Claggett, Darling, Merrill, Noble

The bill was passed and the title agreed to.

Message from the Senate by their Assistant Secretary, Mr. Parker:

MR. SPEAKER:—I herewith present for your signature senate file number 88, an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale on real estate.

Also, Senate file number 213, an act to apportion the State into Senatorial Districts; the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

I am directed to inform the house that the Senate has passed senate file number 115, an act defining the duties of Railroad Companies; in which the concurrence of the house is asked.

J. B. PARKER, Assistant Secretary.

The house then took up senate file number 198, a bill for an act making provision for the settlement of all liabilities growing out of the sale of certain lands of the Des Moines River Improvement Grant, as school lands.

The bill was read a second time and referred to a special committee, with instructions to report as soon as possible. The chair appointed as such committee, Messrs. Hall, Clark, of Johnson, and Rees.

The house then took up Senate file number 164, a bill for an act to regulate the compensation of clerks of the District Court; which was read a second time, the rule suspended, the bill read a third time.

Mr. Kellogg moved to refer the bill, together with house file 364, to a special committee, consisting of Messrs. Hall, Paulk, Gue, Bereman and Wright. Carried.

Substitute for senate file number 140, a bill for an act providing for the election of and defining the duties of Supreme Court Reporter; was taken up and read a second time.

Mr. Clark, of Johnson, offered a substitute for section 14: "It is hereby made the duty of the present reporter, Thomas F. Withrow, to prepare and publish reports of all cases decided by the Supreme Court, from and after January 1st, 1860, and the provisions of this act shall not affect the publication of the decisions of late Supreme Court still remaining unpublished by W. Penn Clarke, late reporter;" upon which the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Blackford, Bremner, Caldwell, Clark of Johnson, Cowing, Crawford, Davis of Johnson, Dennison, Gue, Hoag, Hunt, Lambert, Lynch, Macomber, McQuinn, Millard, Moser, Parker, Rees, Robb, Sabin, Streeter, Tompkins, Williamson of Louisa, Witter—27.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Curtis, Doggett, Davis of Jasper, Ellis, Glasgow, Gniffke, Goodrell, Hall, Haskall, Harris, Hedges, Hotchkiss, Jones, LeLacheur, Mangold, McCullough of Jackson, Morehead, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Stanton, Stevens, Taylor, Whitaker, Williams, Withrow, and Mr. Speaker—43.

Absent or not voting—Bennett, Claggett, Darling, Dunlavey, Gillett, Gurley, Jennings, Kellogg, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Shipman, Williamson of Warren, and Wright.

The amendment was not adopted.

Mr. Bremner moved to strike out section 14. Lost.

The bill was read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Blackford, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Davis of Jasper, Dennison, Ellis, Gillett, Glasgow, Goodrell, Hall, Haskall, Harris, Hedges, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Mangold,

McQuinn, Millard, Mitchell, Morehead, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Streeter, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—56.

The nays were—Messrs. Bracewell, Bremner, Clark of Johnson, Crawford, Curtis, Doggett, Davis of Johnson, Gue, Hoag, Lynch, Macomber, McCullough of Jackson, Moser, Parker, Stevens, Taylor, Tompkins, Whitaker—17.

Absent or not voting—Bennett, Claggett, Darling, Dunlavey, Gniffke, Gurley, Jennings, Kellogg, McCullough of Lee, Merrill, Noble, Price of Lee, Shipman.

The bill was passed and title agreed to.

Substitute for Senate file number 115, an act defining the duties of Railroad Companies, was taken up, read a first and second time and passed on file.

Message from the Senate:

MR. SPEAKER:—I herewith present for your signature senate file number 153, an act to establish a Code of criminal practice, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

Substitute for senate file number 159, a bill for an act to carry into effect the provisions of section 5 of chapter 21 of the acts of the seventh General Assembly, and amendatory thereto, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, Millard, Mitchell, Morehead, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter Wright, and Mr. Speaker—65.

The nays were—Messrs. Bereman, Blackford, Morehead—3.

Absent or not voting—Messrs. Bennett, Claggett, Doggett, Darling, Dunlavey, Gurley, Jennings, Kellogg, Lambert, McQuinn, Merrill, Moser, Noble, Price of Lee, Price of Muscatine, Robb, Shipman, Stanton.

The bill was passed and title agreed to.

House file number 253, an act providing greater safety for books, papers and records belonging to the State, was taken up, read a

second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, Millard, Morehead, Moser, Paulk, Quinn, Reed, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—59.

The nays were—Messrs. Beal, Mitchell, Parker, Peet, Stevens, Williamson of Louisa—6.

Absent or not voting—Barnes, Bennett, Clark of Johnson, Claggett, Cottell, Doggett, Darling, Dunlavey, Gurley, Haskall, Jennings, Kellogg, McCullough of Jackson, McQuinn, Merrill, Noble, Price of Lee, Price of Muscatine, Rees, Shipman, and Williams.

The bill was passed and the title agreed to.

House file number 320, a bill for an act to insure a more prompt and speedy publication and distribution of the Session Laws and other public documents, was taken up and read a second time, when Mr. Caldwell moved to refer the bill to the committee on printing, with instructions to report to-morrow morning. Carried.

Mr. Beal moved to take up house file number 321, an act in relation to text books to be used in the schools of this State. Carried.

The bill was read a second time, the rule suspended, the bill read a third time, and on motion of Mr. Taylor, the bill was laid on the table.

Senate file number 207, a bill for an act to legalize the levy of the road tax in Mitchell county, for the year 1858, and the collection of the taxes of said county for that year, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Macomber, Mangold, McCullough of Lee, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Streeter, Taylor,

Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Witter, Wright, and Mr. Speaker—61.

The nays were—Messrs. Ellis, Gniffke, Lynch, McCullough of Jackson, Rees, Stevens—6.

Absent or not voting—Messrs. Bennett, Claggett, Doggett, Darling, Dunlavey, Gurley, Jennings, Kellogg, Merrill, Noble, Price of Lee, Price of Muscatine, Rees, Robb, Shipman, Stanton, Williams, Withrow.

The bill was passed and the title agreed to.

Mr. Hall moved to take from the table house file number 321. Carried.

Mr. Bowdoin moved to lay the bill on the table again. Carried.

Mr. Clark, of Johnson, from special committee, reported back senate file number 198, a bill for an act making provision for the settlement of all liabilities of the State growing out of the sale of certain lands of the Des Moines Improvement Grant as school lands. The bill was taken up, read a second time, the rule was suspended, and the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter, Wright, and Mr. Speaker—67.

The nays were—Messrs. Bereman, Bowdoin, Cowing, Lynch, Mitchell, Reed, Ruddick—7.

Absent or not voting—Bennett, Claggett, Darling, Dunlavey, Gurley, Jennings, Kellogg, Merrill, Noble, Price of Lee, Robb, Withrow.

The bill was passed and the title agreed to.

House file number 372, a bill for an act to provide for the publishing of the general laws in the German papers, was taken up, read a second time and referred to the special committee on printing.

Substitute for house file number 194, a bill for an act to amend an act passed by the Board of Education, December 24th, 1859, entitled an act to amend an act to provide a system of common schools, was taken up and read a second time, when Mr. Taylor moved to lay the bill on the table. Carried.

Mr. Clark, of Johnson, moved to reconsider the vote last taken.

Mr. Bowdoin moved to lay the motion to reconsider on the table. Carried.

House file number 189, a bill for an act in relation to executions and orders of sale, was taken up and read a second time, when Mr. Paulk moved to lay the bill on the table. Carried.

Mr. Bereman moved that when we adjourn it be till 7 o'clock this evening. Carried.

Mr. Williams moved to adjourn. Carried.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

House file number 336, an act providing for the management of the school fund and the sale of school lands, was taken up and read by sections.

Mr. Wright moved to amend section 2 as follows: Strike out all the 4th line after 'a' and insert 'the laws.' Carried.

Mr. Wright moved to fill the blanks in section 6 as follows:

In first blank insert 'Monday;' in second blank insert 'March;' in third blank insert 'Secretary of the Board of Education.' Carried.

Mr. Wright moved to fill the blanks in section 7 as follows:

Fill first blank with 'first Monday;' fill second blank with 'February.' Carried.

The blank in the third line of section 10 was filled with 'forty,' and in the 6th and 7th lines, 'then in the newspaper published in the nearest county having one,' was stricken out, and 'in some newspaper authorized by the Board of Supervisors,' inserted.

The words 'to the school fund' in the 6th and 7th lines of section 14 were stricken out.

The word 'agreeable,' in the 7th line of section 17, was altered to read 'equitable,' and the word 'injustice' in the 8th line was made to read 'injuries.'

The blank in the 7th line of section 24 was filled with 'thirty.'

Insert 'thereafter' after 'meeting' in 6th line of section 23.

In section 26, 5th line, before 'when' insert 'to whom made.'

Mr. Gurley moved to strike out 'County Clerk' wherever it occurs in the bill, and insert 'Clerk of the Board of Supervisors.'

Mr. Clark, of Johnson, moved to reconsider the vote on striking out 'County Clerk.' Carried.

Mr. Williams moved to strike out 'County Clerk' wherever it occurs, and insert 'Clerk of the District Court.'

Mr. Curtis moved to add a new section, 33, as follows: This act shall be in force from and after the first Monday in January, A. D. 1861. Carried.

Mr. Paulk moved to add a new section, as follows: Whenever it shall be evident to the board of supervisors that the interest of the school fund will be endangered by immediate prosecution of

any mortgage, or the sale of mortgaged premises, they may give such reasonable time as they may deem for the best interest of the school fund. Carried.

Mr. Paulk moved to add a new section, as follows: At every sale of lands mortgaged to the school fund, it shall be the duty of the chairman of the board of supervisors to attend such sale, and to bid on behalf of the State, to the amount of the principal, interest and costs due the school fund, if in his opinion the interests of the school fund require it. Carried.

Mr. Jennings moved to add to the end of the 7th line, section 23, 'to be paid by the party borrowing.' Carried.

Mr. Baker moved to suspend the rule and read the bill a third time now, which was done, and on the question, shall the bill pass, the yeas and nays, which were as follows:

The yeas were—Messrs. Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hunt, Jennings, Lambert, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead Paulk Price of Muscatine, Quinn, Rees, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—57.

The nays were—Messrs. Baker, Barnes, Conner, Ellis, Hotchkiss, Jones, Kellogg, LeLacheur, Lynch, Moser, Parker, Riddle, Williams, Williamson of Warren—14.

Absent or not voting—Bennett, Campbell, Clark of Des Moines, Claggett, Darling, Dunlavey, Gue, Merrill, Noble, Peet, Price of Lee, Reed, Robinson, Shipman, Stevens.

The bill was passed and the title agreed to.

Message from the Senate.

MR. SPEAKER:—I herewith present for your signature, senate file number 6, a bill for an act to provide for the appraisement of property sold under execution, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

Mr. Clark, of Johnson, asked leave to withdraw house file number 144 from the file. Leave was granted.

Mr. Hall, from the judiciary committee, submitted the following report:

The judiciary committee, to whom was referred house file number 377, an act conferring certain powers on the board of commissioners appointed for the purpose of ascertaining the liabilities of the Des Moines River Improvement, have had the same under consideration, and have directed me to report the same back and recommend its passage.

CALDWELL, Chairman.

The report was received and the bill read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Hall, Haskall, Harris, Hotchkiss, Jennings, Jones, Lambert, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Riddle, Robinson, Ruddick, Sabin, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright—52.

The nays were—Messrs. Beal, Hedges, Kellogg, Lynch, McCullough of Jackson, Reed, Rees, Rosenkrans, Robb, Stevens, Taylor, Whitaker—12.

Absent or not voting—Bennett, Campbell, Claggett, Conner, Clark of Johnson, Curtis, Darling, Dunlavey, Goodrell, Gue, Gurley, Hoag, Hunt, Kellogg, LeLacheur, Mitchell, Merrill, Noble, Peet, Price of Lee, Robb, Shipman, and Mr. Speaker.

The bill was passed and the title agreed to.

House file number 371, a bill for an act to provide for a levy of tax for State purposes, for the year 1860, was taken up and read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Hall, Harris, Hedges, Hotchkiss, Jennings, Jones, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright—63.

The nays were—Messrs. Bereman, Rees, Robinson—3.

Absent or not voting—Messrs. Bennett, Claggett, Darling, Davis of Johnson, Dunlavey, Gue, Gurley, Haskall, Hoag, Hunt, Kellogg, LeLacheur, Mitchell, Merrill, Noble, Peet, Price of Lee, Shipman, Whitaker, and Mr. Speaker.

The bill was passed, and the title agreed to.

Mr. Witter, by leave, introduced the following resolution:

Resolved, That the Secretary of State be and he is hereby directed to furnish each of the clerks of this house with a set of such of the Supreme Court Reports of this State as may be on hand and undistributed.

Which was unanimously adopted.

Mr. Curtis, by leave, introduced the following resolution :

Resolved, That the Clerks, Sergeant-at-Arms, Postmaster, Door-keeper, Messengers, Paper-folders, Fireman and night Watchman, of this house, are entitled to the thanks of this body for their courtesy, and the promptness with which they have responded to the calls of its members, and the faithfulness and alacrity with which they have discharged their respective duties.

Adopted.

Mr. Hall, by leave, introduced the following resolution :

Resolved, That the Secretary of State deliver to J. D. Edmondson, first messenger of this house, one copy of the Iowa Supreme Court Reports, the same as distributed to the Clerks.

Which was adopted.

Mr. Streeter, by leave, offered the following resolution :

Resolved, That the Secretary of State also furnish a set of the Supreme Court Reports to the Postmaster of the General Assembly.

Which was adopted.

Mr. Hall moved to adjourn. Carried.

HALL OF REPRESENTATIVES, }
Saturday, March 31st, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. S. S. Howe.

Journal of yesterday read and approved.

On motion, Mr. Hedges was granted leave of absence.

House file number 372 a bill for an act to provide for the publication of the general laws in German newspapers, was taken up and read a second time, when Mr. Jennings offered a substitute.

Mr. Baker moved to refer both bills to a special committee. Carried.

The Chair appointed Messrs. Baker, Cowing, Robb, Gue and Witter.

Mr. Hall, by leave, offered the following resolution :

Resolved, That a committee of three be appointed, whose duty it shall be to examine and report the bills on file of a general public nature, and report those which the public interest requires should be acted upon, and that bills so reported shall come up first in the regular order, and have preference over others.

Which was adopted.

The chair appointed as such committee, Messrs. Hall, Caldwell and Streeter.

Mr. Streeter, from the committee on roads and highways, submitted the following report: The committee to whom was referred house file number 50, and the substitute therefor, have had the same under consideration, and instructed me to report back the original bill, with some amendments, and recommend its passage.

STREETER, Chairman.

Which report was concurred in, the bill taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Lynch, Mangold, McCullough of Jackson, McQuinn, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Whitaker, Williams, Withrow, and Mr. Speaker—55.

The nays were—Messrs. Beal, Barnes, Bracewell, Clark of Johnson, Conner, Davis of Jasper, Jones, Kellogg, Lambert, LeLacheur, Macomber, Millard, Morehead, Parker, Stanton, Stevens, Williamson of Louisa, Williamson of Warren—17.

Absent or not voting—Bowdoin, Bennett, Claggett, Darling, Gniffke, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Peet, Price of Lee, Witter, and Wright.

The bill passed and the title was agreed to.

Mr. Kellogg, by leave, offered the following resolution:

WHEREAS, The meritorious conduct of Hon. Jno. Edwards, Speaker of the House, deserves at our hands a testimonial; therefore, be it

Resolved, That we present him the chair which he now occupies, as a memento of our pleasant associations.

Which was unanimously adopted.

The committee on the bill asked for further time to consider the bill, and Mr. Paulk moved that the bill be made the special order for Monday next. Carried.

Senate file number 224, a bill for an act conforming existing laws to the change made in the system of county government and organization, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hoag, Hotch-

kiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, Millard, Mitchell, Morehead, Parker, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, and Mr. Speaker—66.

The nays were—None.

Absent or not voting—Messrs. Bereman, Bowdoin, Bennett, Clark of Des Moines, Claggett, Conner, Darling, Gurley, Hedges, McCullough of Lee, McQuinn, Merrill, Moser, Noble, Paulk, Price of Lee, Ruddick, Williams, Witter, Wright.

The bill was passed and the title agreed to.

Senate file number 56, an act authorizing the county judge of Appanoose county to appropriate a portion of the swamp land fund for the erection of a court house, was taken up and read a second time, when Mr. Stevens moved to lay the bill on the table; upon which Mr. Dunlavy called for the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bremner, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Ellis, Gillett, Glasgow, Gue, Gurley, Hall, Haskall, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Shipman, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Wright, and Mr. Speaker—64.

The nays were—Messrs. Bracewell, Blackford, Davis of Johnson, Dunlavy, Gniffke, Goodrell, Harris, Ruddick—8.

Absent or not voting—Messrs. Bennett, Caldwell, Clark of Jefferson, Claggett, Darling, Hedges, Merrill, Moser, Noble, Price of Lee, Sabin, Streeter and Witter.

The motion prevailed.

House file number 324, a bill for an act to amend an act entitled an act to provide for taking up water crafts found adrift, lost goods and estray animals, was taken up and read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavy, Ellis, Gillett, Glasgow, Gniffke, Gue, Hall, Haskall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Mitchell,

Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streater, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, and Mr. Speaker—72.

The nays were—None.

Absent or not voting.—Messrs. Beal, Bennett, Olaggett, Conner, Darling, Goodrell, Gurley, Kellogg, Merrill, Moser, Noble, Price of Lee, Witter, Wright.

The bill was passed and the title agreed to.

ENROLLED BILLS.

Committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled, viz:

House file number 331, an act authorizing owners of land subject to overflow, on the Mississippi and Iowa river bottoms, in Des Moines and Louisa counties, to raise a tax on such lands, for the purpose of continuing and extending the levee now commenced, to prevent such overflow.

Substitute for house file number 252, an act in relation to debtors to the school fund.

House file number 262, joint resolution for additional mail facilities from Des Moines to Sioux City, from Dennison to Ft. Dodge, from Council Bluffs to Spirit Lake, and for Dowesville and Butler's Mill to be added in the route asked for from Council Bluffs to Dennison and Deloit, in Crawford county.

House file number 322, resolution for additional mail facilities from St. Charles City to Algona.

House file number 345, joint resolution for additional mail facilities from Knoxville to Winterset.

House file number 337, joint resolution for a grant of land from the General Government to the McGregor, St. Peters and Missouri River Railroad Company.

Substitute for house file number 84, an act to prevent counties, cities and towns from taking stock in works of internal improvement and banking institutions.

House file number 318, joint resolution for increased mail facilities—a tri-weekly from Cedar Rapids to Onawa.

House file number 317, an act to legalize the elections and official acts of the corporation of McGregor.

House file number 312, an act to legalize the official acts of Wm. R. Brown, a Notary Public of Des Moines county.

Also, that they have handed to the Governor, for his signature, the following bills, viz:

House file number 170, an act to provide for the establishment

of a Commissioner in the city of New York, to promote immigration to the State of Iowa.

House file number 327, an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque.

House file number 292, an act to legalize the taxes levied in Howard county, for the year 1859.

House file number 285, an act to authorize change of venue in certain cases.

Substitute for house file number 277, an act to legalize the levy of a school house tax in the district township of Jefferson, in Poweshiek county, Iowa.

House file number 307, an act in relation to the records of original title of lots in Iowa City.

House file number 262, an act for the relief of Benjamin Keller, Jr., Michael Hennelly and Wm. Thrift.

House file number 283, an act to legalize the acts of H. B. Horton, a Notary Public of Clinton county, Iowa.

House file number 229, an act making provision for the payment of the salary of the commissioner of the Des Moines River Improvement, and requiring the Keokuk, Ft. Des Moines and Minnesota Railroad Company to pay the amount of said salary into the State Treasury.

House file number 222, an act for the encouragement of Teachers' Institutes.

House file number 87, an act to prevent larceny of personal property taken on legal process.

House file number 141, an act for legalizing the acts of the Co. Judge of Scott county, in purchasing real estate for a poor house farm, and in issuing bonds in payment therefor.

House file number 266, an act to carry into execution the trust conferred upon the State of Iowa in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a railroad from Lyons City across the State of Iowa, and near the 42d parallel, to the Missouri river.

J. W. DENNISON, Chairman.

March 26th, 1860.

Mr. Paulk presented the petition of E. C. Abbott, and 250 others, citizens of Alamakee county, praying for a joint memorial of the 8th General Assembly, to surrender lands granted to the Air Line Railroad to the United States, upon condition that an equally liberal grant may be made to aid in the construction of a railroad from McGregor, west via Paint Creek and Waukon, through the State; which was laid on the table.

Substitute for senate file number 69, a bill for an act to amend chapter 188 of the acts of the 6th General Assembly, was taken up, read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Blackford, Bremner, Campbell, Clark of Johnson, Cottell, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Parker, Peet, Price of Muscatine, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—59.

The nays were—Messrs. Bowdoin, Bracewell, Clark of Jefferson, Cowing, Dunlavey, Ellis, Jones, Kellogg, LeLacheur, Robb, Williams, Williamson of Warren—12.

Absent or not voting—Beal, Bennett, Caldwell, Clark of Des Moines, Claggett, Conner, Darling, Hedges, Mitchell, Merrill, Moser, Noble, Paulk, Price of Lee, Quinn.

The bill was passed and title agreed to.

Substitute for senate file number 210, a bill for an act entitled an act to amend chapter 160 of the acts of the Seventh General Assembly, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, McQuinn, Millard, Mitchell, Morehead, Parker, Paulk, Price of Muscatine, Quinn, Riddle, Robinson, Rosenkrans, Stevens, Streeter, Tompkins, Whitaker, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—52.

The nays were—Messrs. Beal, Bemis, Blackford, Conner, Dunlavey, Hotchkiss, Jones, Kellogg, LeLacheur, Mangold, McCullough of Jackson, McCullough of Lee, Peet, Robb, Ruddick, Taylor, Williamson of Warren—17.

Absent or not voting—Messrs. Barnes, Bennett, Bremner, Clark of Des Moines, Claggett, Merrill, Moser, Noble, Price of Lee, Reed, Rees, Sabin, Shipman, Stanton, Hedges.

Mr. Goodrell, by leave, offered the following resolution:

Resolved, That the Chief Clerk be authorized to employ an assistant Enrolling Clerk.

Which was adopted.

Senate file number 221, a bill for an act to provide for the allotment of the terms of Senators, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of

Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Parker, Paulk, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Tompkins, Whitaker, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—66.

The nays were—Messrs. Beal, Jennings, Kellogg, McCullough of Jackson, Williams—5.

Absent or not voting—Messrs. Bennett, Claggett, Darling, Gurley, Hedges, Merrill, Moser, Noble, Peet, Price of Lee, Rees, Robinson, Streeter, Taylor and Wright.

The bill was passed and title agreed to.

House file number 333, a bill for an act protecting real estate on which the school and university funds have liens, from sale for taxes, was taken up, and the question being on the amendment made by the Senate, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Parker, Paulk, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—67.

The nays were—Mr. Gniffke—1.

Absent or not voting—Messrs. Bennett, Blackford, Claggett, Darling, Gurley, Hedges, McCullough of Jackson, McCullough of Lee, Merrill, Moser, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Stevens, Streeter and Wright.

The amendments were concurred in.

Senate file number 24, a bill for an act to enforce the collection of taxes for the year 1858, was taken up and read a second time, when Mr. Rees moved to strike out "penalty," in the bill; on which Mr. Dunlavey demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Campbell, Clark of Des Moines, Conner, Curtis, Doggett, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Goodrell, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Lee, Millard, Parker, Paulk, Rees, Riddle, Robinson, Rosenkrans, Robb, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren—38.

The nays were—Messrs. Barnes, Bemis, Bereman, Bracewell, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Glasgow, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Mitchell, Morehead, Peet, Price of Muscatine, Quinn, Reed, Ruddick, Sabin, Shipman, Stanton, Tompkins, Withrow, Wright, and Mr. Speaker—40

Absent or not voting—Messrs. Bennett, Blackford, Claggett, Darling, Davis of Jasper, Davis of Johnson, Hedges, Merrill, Moser, Noble, Price of Lee, Streeter and Witter.

The amendment was lost.

The rule was suspended, the bill was read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Paulk, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Withrow, Witter, Wright, and Mr. Speaker—50.

The nays were—Messrs. Baker, Beal, Campbell, Conner, Dennison, Dunlavey, Ellis, Gniffke, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Parker, Peet, Reed, Riddle, Robinson, Stevens, Whitaker, Williams, Williamson of Louisa, Williamson of Warren—24.

Absent or not voting—Messrs. Bennett, Claggett, Darling, Davis of Johnson, Hedges, Merrill, Moser, Noble, Price of Lee, Rees, Robb and Taylor.

The bill was passed and the title agreed to.

House file number 306, a bill for an act to render valid certain sales made and rights acquired under execution, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Johnson, Cottell, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Gue, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Peet, Quinn, Reed, Riddle, Robb, Ruddick, Sabin, Shipman, Stanton, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—53.

The nays were—Messrs. Baker, Campbell, Clark of Jefferson, Conner, Dunlavey, Goodrell, Kellogg, LeLacheur, Parker, Peet,

Price of Muscatine, Rees, Robinson, Rosenkrans, Williamson of Louisa—15.

Absent or not voting—Messrs. Bennett, Clark of Des Moines, Claggett, Cowing, Darling, Gurley, Hedges, Mitchell, Merrill, Moser, Noble, Paulk, Price of Lee, Stevens, Streeter, Taylor, Wright.

The bill was passed and the title agreed to.

Mr. Bowdoin, from the committee on schools and State University, introduced house file number 389, a bill for an act to amend an act passed by the Board of Education December 24th, 1859, entitled an act to amend an act entitled an act to provide a system of common schools, which was read a first and second time, and passed on file.

House file number 344, a bill for an act making further appropriations for the Blind Asylum at Vinton, was taken up, read a second time, when Mr. Jennings moved to lay the bill on the table; on which, Mr. Quinn demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Campbell, Clark of Des Moines, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren—31.

The nays were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Glasgow, Goodrell, Gue, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Morehead, Parker, Peet, Price of Muscatine, Quinn, Rosenkrans, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Withrow, Witter, and Mr. Speaker—40.

Absent or not voting—Messrs. Bracewell, Bennett, Claggett, Darling, Gillett, Gurley, Haskell, Hedges, Mitchell, Merrill, Moser, Noble, Price of Lee, Stevens and Wright.

The motion to lay on the table did not prevail.

Mr. Dennison moved to amend section 5 by adding the following: As shown by a reliable proposal of responsible parties for the completion of said building, according to definite and full specifications accompanying such proposal. Carried.

Mr. Dennison moved to amend section 6 as follows: Strike out all after the word 'only' and insert the following: Upon the proposal embodying the specifications as required in section 5, accepted by the commissioners and approved by the Governor. Carried.

Mr. Clark, of Johnson, moved to suspend the rule and put the bill on its passage; which was done, and on the question, shall the bill pass? the yeas and nays were ordered, and were as follows.

The yeas were—Messrs. Barnes, Bereman, Blackford, Brem

ner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rosenkrans, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Baker, Beal, Bemis, Bowdoin, Bracewell, Campbell, Clark of Des Moines, Conner, Cowing, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Stevens, Taylor, Whitaker, Williamson of Louisa, Williamson of Warren—32.

Absent or not voting—Bennett, Claggett, Darling, Hedges, Merrill, Moser, Noble, Price of Lee, and Wright

The bill was passed and the title agreed to.

House file number 387, a bill for an act to amend an act passed by the Board of Education, December 24th, 1859, entitled an act to amend an act to provide a system of common schools, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Hall, Haskell, Harris, Hoag, Hotchkiss, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—63.

The nays were—Messrs. Dennison, Hunt, Parker, Paulk, Peet, Robb, Whitaker—7.

Absent or not voting—Messrs. Barnes, Bennett, Claggett, Darling, Goodrell, Gurley, Hedges, McCullough of Lee, Moser, Noble, Price of Lee, Taylor, Wright.

The bill was passed and the title agreed to.

Mr. Peet moved to reconsider the vote whereby house file number 344 was passed.

Mr. Lambert moved to lay the motion to reconsider on the table, on which, Mr. Peet demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Barnes, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison,

Gillett, Glasgow, Goodrell, Gue, Gurley, Haskell, Hoag, Hunt, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Parker, Price of Muscatine, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Withrow, Witter Wright, and Mr Speaker—45.

The nays were—Messrs. Baker, Beal, Bemis, Bracewell, Clark of Des Moines, Conner, Curtis, Doggett, Dunlavey, Ellis, Gniffke, Hall, Harris, Hotchkiss, Jones, Kellogg, LeLacheur, McCullough of Jackson, Paulk, Peet, Reed, Rees, Riddle, Robinson, Robb, Stevens, Whitaker, Williamson of Louisa, Williamson of Warren.—29.

Absent or not voting—Messrs. Bennett, Campbell, Claggett, Darling, Hedges, Jennings, Merrill, McCullough of Lee, Moser, Noble, Price of Lee, Taylor.

The motion to reconsider prevailed.

House file number 352, a bill for an act providing for auditing accounts for publishing laws in newspapers, was taken up, and the question being on concurring in the amendments made by the Senate, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Glasgow, Haskell, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, McQuinn, Millard, Mitchell, Morehead, Paulk, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—56.

The nays were—Messrs. Clark of Johnson, Dunlavey, Gillett, Gniffke, Goodrell, Gue, Hall, Harris, Lambert, Lynch, Macomber, Mangold, McCullough of Lee, Parker, Peet, Riddle, Whitaker—17.

Absent or not voting—Bennett, Campbell, Clark of Des Moines, Claggett, Darling, Gurley, Hedges, McCullough of Jackson, Merrill, Moser, Noble, Price of Lee, Shipman.

The bill was passed and the title agreed to.

Mr. Cowing, from special committee, submitted the following report:

The committee, to whom was referred house file number 372, an act to provide for the publication of certain laws in certain German newspapers, together with the substitute therefor, have had the same under consideration, and a majority of said committee have directed me to report said bills back to the house without amendment, and recommend the passage of the original bill.

The committee have also directed me to report a substitute for the substitute, and recommend its passage.

A. M. Cowing.

The original bill, house file number 372, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurléy, Haskell, Harris, Hoag, Hotchkiss, Hunt, Lambert, LeLacheur, Lynch, Macomber Mangold, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Parker, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—58.

The nays were—Messrs. Baker, Beal, Bracewell, Conner, Doggett, Dunlavey, Hall, Jennings, Jones, Kellogg, McCullough of Lee, Mitchell, Paulk, Peet, Whitaker, Williamson of Warren—16.

Absent or not voting—Bennett, Campbell, Clark of Des Moines, Claggett, Darling, Gniffke, Hedges, Merrill, Moser, Noble, Price of Lee, Stevens.

The bill was passed, and the title agreed to.

The substitute for the substitute for house file number 372, being house file number 390, a bill for an act to amend section three of chapter one hundred and fifty-one of the acts of the seventh General Assembly of the State of Iowa, was taken up, read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Gillett, Gniffke, Goodrell, Gue, Harris, Hedges, Hoag, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, McQuinn, Millard, Parker, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Withrow, Witter, Wright, and Mr. Speaker—48.

The nays were—Messrs. Beal, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Davis of Johnson, Dunlavey, Ellis, Hall, Haskell, Hotchkiss, Jones, Mitchell, Morehead, Paulk, Peet, Reed, Stanton, Whitaker, Williamson of Louisa, Williamson of Warren—20.

Absent or not voting—Messrs. Barnes, Bennett, Campbell, Clark of Johnson, Claggett, Darling, Glasgow, Gurley, Macomber, McCullough of Lee, Merrill, Moser, Noble, Price of Lee, Price of Muscatine, Stevens, Williams.

The bill was passed and the title agreed to.

House file number 365, joint resolution for additional mail facil-

ities, was taken up, read a second time, the rule suspended, the bill read a third time and passed.

House file number 366, joint resolutions for additional mail facilities, was taken up, read a second time, the rule suspended, the bill read a third time and passed.

Senate file number 219, joint resolution for additional mail facilities, was taken up, read a second time, the rule suspended, the bill read a third time and passed.

House file number 376, joint resolution in relation to the reduction of certain rates of duties on certain exported products, was taken up, read a second time, the rule suspended, and the bill read a third time and passed.

Senate file number 115, a bill for an act defining the duties of Railroad Companies, was taken up and read a second time, when Mr. Bowdoin moved to lay on the table.

Mr. Bereman demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bremner, Clark of Des Moines, Conner, Davis of Jasper, Dennison, Dunlavey, Gniffke, Goodrell, Gurley, Hall, Harris, Hedges, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Macomber, Millard, Paulk, Peet, Rees, Riddle, Robinson, Rosenkrans, Robb, Streeter, Taylor, Tompkins, Whitaker, Williamson of Warren, Witter—36.

The nays were—Messrs. Barnes, Bemis, Bereman, Blackford, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Johnson, Ellis, Gillett, Glasgow, Gue, Haskall, Hoag, Lambert, LeLacheur, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Morehead, Parker, Price of Muscatine, Quinn, Reed, Ruddick, Sabin, Shipman, Williamson of Louisa, Withrow, Wright—38.

Absent or not voting—Messrs. Bennett, Campbell, Claggett, Darling, Merrill, Moser, Noble, Price of Lee, Stanton, Stevens, Williams, and Mr. Speaker.

The motion to lay on the table did not prevail.

Mr. Goodrell moved to amend the third line of section 7 by striking out 'less' and inserting 'more.' Carried.

Mr. Jennings moved to strike out section 2. Lost.

Mr. Bremner moved to amend section 3 by striking out 'treasurer' in the second line. Carried.

Mr. Williams moved to strike out all after 'business' in the 4th line of section 1. Carried.

Mr. Clark, of Des Moines, moved to add to section 1 the following: 'That the railroad from Muscatine to Iowa City have a cow-catcher attached to the hind end of the train to prevent stock from running over the train.' Lost.

Mr. Cowing moved to suspend the rule and read the bill a third time now. Carried.

The bill was read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Bemis, Bereman, Bracewell, Bremner, Caldwell, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Johnson, Gillett, Glasgow, Gue, Haskall, Jones, Lambert, McCullough of Jackson, Mitchell, Morehead, Parker, Price of Muscatine, Quinn, Reed, Ruddick, Sabin, Shipman, Stanton, Williamson of Louisa, Withrow, Wright—32.

The nays were—Messrs. Baker, Beal, Barnes, Bowdoin, Bremner, Clark of Des Moines, Conner, Davis of Jasper, Dennison, Ellis, Gniffke, Goodrell, Gurley, Hall, Harris, Hedges, Hoag, Hunt, Jennings, Kellogg, LeLacheur, Lynch, Macomber, Millard, Paulk, Peet, Rees, Riddle, Robinson, Rosenkrans, Robb, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Warren, Witter, and Mr. Speaker—38.

Absent or not voting—Messrs. Bennett, Blackford, Campbell, Claggett, Darling, Dunlavey, Hotchkiss, Mangold, McCullough of Lee, McQuinn, Merrill, Moser, Noble, Price of Lee, and Whitaker.

The bill did not pass.

Mr. Williams moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Lynch was excused for the balance of the session.

Mr. Williams moved to reconsider the vote taken on the passage of senate file number 115, whereby it was lost.

Mr. Baker moved to lay the motion to reconsider on the table.

Mr. Williams demanded, the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Caldwell, Clark of Des Moines, Conner, Dunlavey, Ellis, Goodrell, Gurley, Hall, Harris, Hedges, Hoag, Hotchkiss, Hunt, Kellogg, Macomber, Millard, Paulk, Quinn, Riddle, Robinson, Rosenkrans, Robb, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williamson of Warren, Witter, and Mr. Speaker—37.

The nays were—Messrs. Bereman, Bremner, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Gue, Haskall, Lambert, Mangold, McCullough of Jackson, Morehead, Price of Muscatine, Ruddick, Sabin, Shipman, Streeter, Williams, Williamson of Louisa, Withrow, Wright—25.

Absent or not voting—Messrs. Bennett, Campbell, Claggett, Curtis, Doggett, Darling, Dennison, Gniffke, Jennings, Jones,

LeLacheur, Lynch, McCullough of Lee, McQuinn, Mitchell, Merrill, Moser, Noble, Parker, Peet, Price of Lee, Rees, Reed.

The motion prevailed.

The house then took up senate file number 215, an act in relation to State printing. The bill was read a second time.

Mr. Clark, of Johnson, moved to refer the bill to the committee on printing. Lost.

Mr. Clark, of Johnson, moved to strike out 'sixty' in section 1, and insert 'seventy,' and to strike out 'fifty' in section 2 and insert 'sixty.' Lost.

Mr. Cowing moved to add to section 2: 'For pressing books and pamphlets in the sheet, said printer shall receive ten cents per hundred sheets.'

Mr. Baker moved to amend the amendment by striking out 'ten' and inserting 'eight.' Carried.

Mr. Cowing's amendment as amended, was then adopted.

The rule was then suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Gillett, Glasgow, Goodrell, Hall, Haskall, Hedges, Hoag, Hunt, Jennings, Lambert, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Price of Muscatine, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—49.

The nays were—Messrs. Beal, Bracewell, Clark of Johnson, Conner, Doggett, Dunlavey, Ellis, Gue, Gurley, Harris, Hotchkiss, Kellogg, LeLacheur, McCullough of Jackson, McCullough of Lee, Paulk, Quinn, Rees, Robb, Stevens, Williamson of Warren—22.

Absent or not voting—Bowdoin, Bennett, Campbell, Clark of Des Moines, Claggett, Curtis, Darling, Dennison, Gniffke, Jones, Lynch, Merrill, Noble, Peet, Price of Lee, Whitaker.

The bill was passed and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills, in which the concurrence of the House is asked:

Senate files numbers 217, 226, and 227.

I also return house files numbers 388 and 238, the Senate having passed the same without amendment.

Also, the following bills, the senate having refused to pass the same: House files numbers 304, 203 and 338.

I also return house file number 335, the senate having passed

the same with sundry amendments, in which the concurrence of the house is asked.

J. H. SANDERS, Sec^y of Senate.

The House then took up substitute for senate file number 208, a bill for an act to prevent members of the county board of supervisors from borrowing public money, or dealing in public property.

The bill was read a second time, when Mr. Kellogg moved to lay the bill on the table. Carried.

The House then took up house file number 335, an act in relation to revenue, and the question being upon concurring in the amendments made by the Senate, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Johnson, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Jennings, Lambert, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Quinn, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Withrow, Witter, Wright, and Mr. Speaker—50.

The nays were—Messrs. Campbell, Clark of Des Moines, Conner, Curtis, Doggett, Dunlavey, Ellis, Glasgow, Gniffke, Harris, Hotchkiss, Kellogg, LeLacheur, McCullough of Jackson, Price of Muscatine, Reed, Riddle, Robinson, Stevens, Williams, Williamson of Warren—21.

Absent or not voting—Bennett, Caldwell, Claggett, Darling, Hedges, Jones, McCullough of Lee, Merrill, Noble, Paulk, Peet, Price of Lee, Rees, Whitaker, and Williamson of Louisa.

The amendments were concurred in.

The House then took up senate file number 217, a bill for an act to enforce collection and settlement of the claims of the State with Winterbottom, Jones & Headly, contractors for the criminal labor of the Iowa Penitentiary.

The bill was read a first and second time, and Mr. Baker moved to refer the bill to a select committee. Carried.

The chair appointed as such committee, Messrs. Hall, Curtis and Baker.

The House then took up senate file number 227, an act making appropriation for building fifty-four cells and repairing the fence, and also to provide for the support of the Iowa Penitentiary.

The bill was read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Campbell, Clark of Johnson, Clark of Jefferson, Conner, Cowing, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Hoag, Hunt, Jennings, Lynch, Ma-

comber, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Morehead, Moser, Parker, Quinn, Reed, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Withrow, Witter, Wright, and Mr. Speaker—52.

The nays were—Messrs. Clark of Des Moines, Curtis, Doggett, Harris, Kellogg, Lambert, LeLacheur, Millard, Paulk, Price of Muscatine, Riddle, Williamson of Louisa—12.

Absent or not voting—Messrs. Bennett, Claggett, Beal, Caldwell, Cottell, Darling, Ellis, Haskell, Hedges, Hotchkiss, Jones, McQuinn, Merrill, Noble, Peet, Price of Lee, Robinson, Robb, Stevens, Whitaker, Williams, Williamson of Warren.

The bill was passed, and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I herewith present for your signature, senate files numbers 218, 204, 198 and 140, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

I also return house files numbers 347 and 371, the senate having passed the same without amendment.

J. H. SANDERS, Sec'y of Senate.

Message from the Senate:

I herewith return house file number 325, the same having passed the Senate with the following amendments, in which the concurrence of the House is asked:

Sec. 2, contingent expenses of Adjutant General's deputy, strike out 'two hundred,' and insert 'four hundred.'

Sec. 6, last line, strike out 'two thousand,' and insert 'one thousand.'

Sec. 7, 6th line, strike out '1800,' and insert '1200.'

Substitute for section 16.

J. H. SANDERS, Sec'y of Senate.

Mr. Baker, from select committee, reported back house file number 217; which report was received, and the bill passed on file.

The House then took up house file number 348, a bill for an act requiring State officers and others to record their reports.

The bill was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Davis of Johnson, Dennison, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Price of Muscatine, Quinn, Rees, Robinson, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, Mr. Speaker—61.

The nays were—Messrs. Dunlavey, Paulk, Peet, Reed, Whitaker—5.

Absent or not voting—Messrs. Bemis, Bennett, Clark of Des Moines, Claggett, Doggett, Darling, Gurley, Hedges, Hotchkiss, Jones, McCullough of Jackson, McCullough of Lee, Merrill, Noble, Price of Lee, Reed, Riddle, Rosenkrans, Robb, and Williamson of Warren.

The bill was passed and the title agreed to.

The House then took up senate file number 226, a bill for an act providing for the payment of the indebtedness of the Iowa Penitentiary. The bill was read a first and second time, when Mr. Kellogg offered the following amendment: *Provided*, That said \$38,000 shall be paid out of moneys in the treasury not otherwise appropriated, and the Auditor is hereby directed not to draw any warrant on the treasury for the objects of this bill, until he is notified by the Treasurer that said \$38,000 is in the treasury, not subject to any other order, warrant or appropriation; which was lost.

The bill was read a third time, and the question then being, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Clark of Johnson, Cottell, Crawford, Davis of Jasper, Davis of Johnson, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Hoag, Hunt, Jennings, Lynch, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Morehead, Moser, Parker, Quinn, Reed, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Beal, Bracewell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Curtis, Doggett, Dunlavey, Ellis, Glasgow, Gniffke, Harris, Kellogg, Lambert, LeLacheur, Millard, Mitchell, Paulk, Peet, Price of Muscatine, Rees, Riddle, Robinson, Robb, Williams, Williamson of Louisa—28.

Absent or not voting—Messrs. Bennett, Caldwell, Claggett, Darling, Haskell, Hedges, Hotchkiss, Jones, Merrill, Noble, Price of Lee, Williamson of Warren, and Wright.

The bill was passed and title agreed to.

Messages from the Senate:

MR. SPEAKER:—I am directed to return house file number 368, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

The House then took up house file number 369, a bill for an act to provide for the publication of the Revised Statutes of 1860; the bill was read a second time, when Mr. Caldwell offered a substitute.

Mr. Goodrell moved to refer both bills to a select committee. Lost.

The question recurring upon the adoption of the substitute, Mr. Goodrell called for the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bowdoin, Bracewell, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, LeLacheur, Macomber, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Sabin, Stanton, Stevens, Taylor, Tompkins, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, Witter—58.

The nays were—Messrs. Barnes, Bereman, Blackford, Bremner, Clark of Johnson, Cottell, Cowing, Dennison, Goodrell, Lambert, Lynch, Millard, Mitchell, Moser, Rosenkrans, Shipman, Streeter, Withrow, Wright, and Mr. Speaker—20.

Absent or not voting—Bennett, Claggett, Darling, Hedges, Jones, Merrill, Noble, Price of Lee.

The substitute was adopted.

Mr. Goodrell moved to amend the substitute by adding to section two, "the work to be done in this State;" and on the amendment demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Barnes, Bemis, Blackford, Bremner, Clark of Johnson, Cottell, Cowing, Crawford, Dennison, Gillett, Glasgow, Goodrell, Gue, Haskall, Harris, Hoag, Lynch, Macomber, Mangold, McQuinn, Millard, Mitchell, Moser, Parker, Quinn, Rosenkrans, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—35.

The nays were—Messrs. Baker, Beal, Bereman, Bowdoin, Bracewell, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dunlavey, Gniffke, Gurley, Hall, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, McCullough of Jackson, McCullough of Lee, Morehead, Paulk, Peet, Price of Muscatine, Reed, Rees, Riddle, Robinson, Robb, Ruddick, Sabin, Stevens, Taylor, Whitaker, Williams, Williamson of Warren—43.

Absent or not voting—Messrs. Bennett, Claggett, Darling, Hedges, Jones, Merrill, Noble, Price of Lee.

The amendment was not adopted.

Mr. Mitchell moved to amend by striking out all relating to the notes of C. Ben Darwin. Lost.

Mr. Caldwell moved to suspend the rule and read the bill a third time now; which was done, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, Man-

gold, McCullough of Jackson, McCullough of Lee, McQuinn, Millard, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Taylor, Whitaker, Williams, Williamson of Louisa, Williamson of Warren, and Mr. Speaker—63.

The nays were—Messrs. Barnes, Blackford, Clark of Johnson, Cottell, Cowing, Goodrell, Lynch, Mitchell, Shipman, Streeter, Tompkins, Withrow, Witter, Wright—14.

Absent or not voting—Messrs. Bennett, Claggett, Darling, Hedges, Jones, Merrill, Moser, Noble, Price of Lee.

The bill was passed and the title agreed to.

Mr. Dennison, from the committee on enrolled bills, submitted the following report:

Committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled, viz:

House file number 35, an act to provide for the redemption of real estate sold on foreclosure of mortgages.

House file number 333, an act exempting lands owned by the University from taxation, and protecting real estate on which the school or University funds have liens, from sale for taxes.

House file number 341, an act in relation to the government of the Penitentiary of Iowa, the appointment of its officers, fixing their salaries, and punishing malfeasance in office.

Also, that they have handed to the Governor, for his signature, the following bills and joint resolutions, viz:

House file number 331, an act authorizing owners of land subject to overflow, on the Mississippi and Iowa river bottoms, in Des Moines and Louisa counties, to raise a tax on such lands, for the purpose of repairing, continuing and extending the levee now commenced, to prevent such overflow.

Substitute for house file number 252, an act in relation to debtors to the school fund.

House file number 262, joint resolution for additional mail facilities from Des Moines to Sioux City, from Dennison to Ft. Dodge, from Council Bluffs to Spirit Lake, and for Dowesville and Butler's Mill to be added in the route asked for from Council Bluffs to Dennison and Deloit, in Crawford county.

House file number 322, resolution for additional mail facilities from St. Charles City to Algona.

House file number 345, joint resolution for additional mail facilities from Knoxville to Winterset.

House file number 337, joint resolution for a grant of land from the General Government to the McGregor, St. Peters and Missouri River Railroad Company.

Substitute for house file number 84, an act to prevent counties, incorporated cities and towns from taking stock in works of internal improvement and banking institutions.

House file number 318, joint resolution for increased mail facilities—a tri-weekly from Cedar Rapids to Onawa.

House file number 312, an act to legalize the official acts of Wm. R. Brown, a Notary Public of Des Moines county.

J. W. DENNISON, Chairman.

Mr. Williams moved that the House adjourn. Carried.

HALL OF REPRESENTATIVES, }
April 2d, 1860. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

The Journal of Saturday read and approved.

Mr. Curtie, from committee on constitutional amendments, submitted the following reports :

The committee on constitutional amendments, to whom was referred a resolution to enquire into the expediency of reporting a law submitting a proposition to amend the Constitution of the State, so as to abolish the Board of Education, have had the same under consideration, and have instructed the undersigned to report that, however desirable it may be to amend the Constitution in this particular, it is believed that it would take longer to abolish the Board of Education by amending the Constitution in the way indicated, than to allow the time to elapse fixed by the Constitution for its irrevocable continuance, and after that time, abolish said Board of Education direct.

I. C. CURTIS.

The committee on constitutional amendments, to whom was referred sundry resolutions favoring the amendment of the Constitution of the State, so as to allow the abolishment of grand juries, have had the same under consideration, and have instructed the undersigned to report the following bill for that purpose.

I. C. CURTIS.

The bill being house file number 391, a bill for an act proposing an amendment to the 11th section of the 7th Article of the Constitution of the State of Iowa, was taken up and read a first and second time, when Mr. Kellogg moved to lay on the table. Lost.

The rule was then suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Jefferson, Conner, Cottell, Curtis, Doggett, Davis of Jasper, Dunla-

vey, Ellis, Gillett, Gniffke, Goodrell, Haskall, Harris, Hotchkiss, Hunt, Jones, Kellogg, Lambert, Macomber, McCullough of Jackson, Millard, Mitchell, Morehead, Parker, Quinn, Rees, Riddle, Ruddick, Sabin, Streeter, Taylor, Tompkins, Williamson of Louisa, Witter, Wright—45.

The nays were—Messrs. Clark of Des Moines, Cowing, Glasgow, Gue, Hall, Jennings, McQuinn, Moser, Paulk, Reed, Williamson of Warren, and Mr. Speaker—12.

Absent or not voting—Messrs. Bowdoin, Bennett, Clark of Johnson, Claggett, Crawford, Darling, Davis of Johnson, Dennison, Gurley, Hedges, Hoag, LeLacheur, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Robinson, Rosenkrans, Robb, Shipman, Stanton, Stevens, Whitaker, Williams, Withrow.

The bill was passed and the title agreed to.

Mr. Paulk, from fee bill committee, submitted the following report: The select committee to whom was referred house file 364, in relation to treasurer's, recorder's and county clerk's fees, and also senate file —, state that they herewith report back three separate bills as substitutes for said house file and senate file, and with certain amendments, recommend their immediate passage.

The bills, being house file number 392, a bill for an act to provide for the election of recorder, and for prescribing his power and duties;

House file number 393, a bill for an act to abolish the salary of the clerk of the District Court, and to compensate his service by fees, and

House file number 394, a bill for an act defining the duties of county treasurers in certain cases, and the manner in which they shall be paid for their duties, were taken up and read a second time, and passed on file.

Mr. Sabin, from the committee on public lands, reported back senate file number 108, an act to grant to the city of Dubuque title to certain lands, which was taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Conner, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Whitaker, Williams, Williamson of Warren, Witter, and Mr. Speaker—59.

The nays were—Messrs. Clark of Jefferson, Cottell, Cowing, Mitchell, Ruddick—5.

Absent or not voting—Bennett, Clark of Johnson, Claggett, Darling, Davis of John., Dennison, Gurley, Hedges, Hoag, Lynch, Macomber, Mangold, McCullough of Lee, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Robb, Shipman, Whitaker, Williamson of Louisa, Withrow and Wright.

The bill was passed and title agreed to.

Message from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills, in which the concurrence of the house is asked:

Senate files numbers 35, 230 and 231.

I also return house file number 325, the Senate having receded from its amendments thereto.

Also, that the Senate has concurred in the House amendments to senate file number 202.

I herewith present for your signature, senate files numbers 219, 227, 221, 210 and 24, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

Mr. Moser, by leave, introduced house file number 395, a joint resolution for the distribution of laws to the members; which was read a first and second time, the rule suspended, the resolution read a third time and passed.

House file number 380, a bill for an act to change the fiscal year, and to define the duties of State officers in certain cases, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Doggett, Davis of Jasper, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Harris, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Reed, Riddle, Rosenkrans, Ruddick, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Witter, Wright, and Mr. Speaker—57.

The nays were—Mr. Ellis—1.

Absent or not voting—Messrs. Bennett, Caldwell, Clark of Johnson, Claggett, Curtis, Darling, Davis of Johnson, Dennison, Gurley, Hedges, Hoag, Jones, Kellogg, Lynch, Mangold, McCullough of Jackson, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Quinn, Rees, Robinson, Robb, Sabin, Whitaker, Withrow.

The bill passed and the title was agreed to.

Mr. Taylor, by leave, offered the following resolution:

Resolved, That the Chief Clerk be authorized to employ a sut-

ficient number of clerks to assist in the engrossing and enrolling of bills to prevent delay in the action of the house.

Adopted.

Mr. Paulk, from select committee, reported back house file number 251, and reported further legislation unnecessary. Report concurred in.

Mr. Hall, by leave, offered the following resolution:

Resolved, That the several reports upon the Insane Hospital and Iowa Penitentiary, be distributed to the members by 3 o'clock this P. M., and in case they are not so distributed, that the Printer and State Binder receive no pay for printing and binding the same.

On which, he demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Clark of Des Moines, Conner, Curtis, Doggett, Dunlavey, Ellis, Hall, Harris, Hotchkiss, Jennings, Jones, LeLacheur, Macomber, McCullough of Jackson, Paulk, Reed, Rees, Riddle, Robinson, Stanton, Stevens, Taylor, Tompkins, Williams, Williamson of Warren—27.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Davis of Jasper, Dennison, Gillett, Glasgow, Goodrell, Gue, Haskell, Hunt, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Moser, Parker, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Williamson of Louisa, Witter, Wright, and Mr. Speaker—38.

Absent or not voting—Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gniffke, Gurley, Hoag, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Morehead Noble, Peet, Price of Lee, Price of Muscatine, Robb, Whitaker, and Withrow.

The resolution was lost.

Message from the Senate:

MR. SPEAKER:—I herewith return house files, numbers 385 and 383, the same having passed the Senate without amendment.

I also present for your signature senate file number 159, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate.

J. H. SANDERS, Sec'y of Senate.

The question before the house being on concurring in two amendments made in the Senate to house file number 325, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Peet, Quinn,

Rees, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Witter, Wright, and Mr. Speaker—59.

The nays were—Messrs. Beal, Ellis, Jones, Kellogg, Reed, Riddle—6.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Darling, Davis of Johnson, Dennison, Hedges, Jones, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Price of Muscatine, Robb, Whitaker, Williamson of Warren, and Withrow.

The amendments were concurred in.

Mr. Caldwell, from the judiciary, committee, reported back senate file number 165, which was passed on file.

Mr. Caldwell, by leave, introduced house file number 396, a bill for an act to authorize the publication of certain laws in the Iowa State Register and Iowa State Journal, which was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—65.

The nays were—None.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Gurley, Hedges, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Price of Muscatine, Robb, Whitaker, Withrow, Wright.

The bill was passed and title agreed to.

Mr. Caldwell, by leave, introduced the following resolution:

WHEREAS, The ladies of Des Moines have kindly proposed to give the members of the General Assembly on the last night of this session an entertainment of a supper; and,

WHEREAS, it has been rumored that objections have been made by some of the members to said proposition; and,

WHEREAS, the ladies desire an expression of opinion upon the part of the members as to the propriety of such entertainment; therefore, be it

Resolved, That we heartily approve said proposition and cheerily accept the invitation tendered by the ladies.

Which was unanimously adopted.

Mr. Caldwell from the judiciary committee, reported back house file number 199, a bill for an act to enable people to change the boundaries of counties, which was passed on the file.

House file number 393, a bill for an act to abolish the salary of the Clerk of the District Court, and to compensate for his service by fees was taken up, and read a second time, when

Mr. Bereman moved to strike out \$2,000 in section 3, and insert \$1,500. Carried.

Mr. Williams moved to strike out \$2 00 in section 1, and insert \$1 50. Carried.

Mr. Williams moved to reconsider the vote on striking out \$2,000 and inserting \$1,500.

Mr. Jennings moved to lay the motion to reconsider on the table. Lost.

The motion to reconsider prevailed.

The original motion to strike out \$2,000 and insert \$1,500 was then lost.

Mr. Williams moved to strike out the fee for chancery cases contested, being \$3 00, and insert \$1 50. Carried.

Mr. Williams moved to strike out \$1 50 in case chancery suit is not contested, and insert 75 cents. Carried.

The question then recurring on the question, shall the bill pass, the yeas and nays, which were as follows :

The yeas were—Messrs. Baker, Barnes, Bowdoin, Blackford, Bremner, Caldwell, Clark of Jefferson, Claggett, Conner, Cottell, Cowing, Crawford, Darling, Davis of Jasper, Dennison, Ellis, Gillett, Glasgow, Gue, Gurley, Hall, Haskell, Harris, Hedges, Hoag, Hunt, Jennings, Jones, Kellogg, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Rosenkrans, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—58.

The nays were—Messrs. Beal, Bemis, Bereman, Bracewell, Clark of Des Moines, Curtis, Doggett, Dunlavey, Gniffke, Hotchkiss, Robinson, Ruddick, Williams—13.

Absent or not voting—Bennett, Campbell, Clark of Johnson, Davis of Johnson, Goodrell, LeLacheur, Lynch, McCullough of Lee, Mangold, Merrill, Noble, Price of Lee, Robb, Stevens, Whitaker.

The bill was passed and the title agreed to.

Message from the Senate :

MR. SPEAKER:—I herewith return house file number 336, the same having passed the Senate with amendments, in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

House file number 336 was taken up, and the question being on

concurring in the amendments made thereto by the Senate. The first amendment was concurred in, and the second was concurred in with an amendment by striking out 'ten' and inserting 'thirty.'

House file number 394, a bill for an act defining the duties of County Treasurer in certain cases, and defining the manner in which they shall be paid for their services, was taken up and read a first and second time.

Mr. Williams moved to indefinitely postpone the bill. Lost.

The rule was then suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Davis of Jasper, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Wright, and Mr. Speaker—53.

The nays were—Messrs. Bereman, Conner, Curtis, Doggett, Dennison, Dunlavey, Gniffke, Jennings, Rees, Robinson, Stevens, Williams—12.

Absent or not voting—Messrs. Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gurley, Hedges, LeLacheur, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Robb, Stanton, Whitaker, Williamson of Warren, Witter.

The bill was passed and the title agreed to.

House file number 392, a bill for an act providing for the election of Recorder, and prescribing his powers and duties, defining his fees, and the compensation of certain county officers, was taken up, read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Doggett, Davis of Jasper, Dennison, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jones, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Wright, and Mr. Speaker—55.

The nays were—Messrs. Bereman, Caldwell, Conner, Curtis, Gniffke, Jennings, Robinson, Stevens—8.

Absent or not voting—Messrs. Beal, Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dunlavey, Hedges,

Kellogg, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Rees, Robb, Shipman, Whitaker, Williams, Williamson of Warren, and Witter.

The bill was passed and the title agreed to.

Senate file number 34, a bill for an act to amend chapter 43 of the Code, was taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Macomber, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—59.

The nays were—Messrs. Curtis, Doggett, McCullough of Jackson, Rees, Stanton—5.

Absent or not voting—Messrs. Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Conner, Crawford, Darling, Davis of Johnson, Dennison, Hedges, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Robb, Shipman, Whitaker, Williams.

The bill was passed and title agreed to.

[Before the passage of the bill, the words "cemetery associations" were inserted by unanimous consent.]

Senate file number 191, a bill for an act to enable the Register of the State land office to convey the title and make out patents to certain University lands, was taken up and read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—62.

The nays were—Mr. Peet—1.

Absent or not voting—Messrs. Bowdoin, Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Hedges, Kellogg, Lynch, Macomber, Mangold, McCul-

lough of Lee, Merrill, Noble, Price of Lee, Robb, Stanton, Stevens, Whitaker, and Williamson of Warren.

The bill was passed and the title agreed to.

Message from the Senate.

MR. SPEAKER:—I am directed to return house file number 336, the Senate having concurred in the House amendment to section twenty-four.

J. H. SANDERS, Sec'y of Senate.

The yeas and nays were then taken on concurring in the Senate amendments as amended to house file number 336, and were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Macomber, Mangold, McCullough of Lee, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright and Mr. Speaker—63.

The nays were—Mr. Robinson—1.

Absent or not voting—Messrs. Barnes, Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Denison, Ellis, Hedges, Kellogg, Lynch, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Robb, Whitaker, Williamson of Warren.

The bill was passed and the title agreed to.

COMMUNICATION ON SPEAKER'S DESK.

HON. JOHN EDWARDS,

Speaker of the House of Representatives:

The undersigned, a committee upon the part of the Ladies of Des Moines, in response to your resolution communicated to us by your committee, hereby tender to the Honorable House of Representatives an invitation to meet us in the offices on the second floor of the Capitol at 11 o'clock, P. M., when they will take pleasure in entertaining you with a supper.

DES MOINES, April 2, 1860.

MRS. T. K. BROOKS,
MRS. JOHN W. JONES,¹
MRS. HOOKER, } Com.

The house then took up house file number 196, and indefinitely postponed the same.

Also, house file number 126, and indefinitely postponed the same.

Also, house file number 247, and indefinitely postponed the same.

House file number 340, a bill for an act to repeal chapter 43 of the acts of the first General Assembly, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskall, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Macomber, McQuinn, Millard, Morehead, Moser, Parker, Quinn, Rees, Rosenkrans, Ruddick, Sabin, Stanton, Stevens, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—52.

The nays were—Messrs. McCullough of Jackson, Reed, Riddle—3.

Absent or not voting—Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Gillett, Gurley, Harris, Hedges, Hoag, Kellogg, Lambert, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Robinson, Robb, Shipman, Taylor, Whitaker, Williams, Williamson of Warren.

The bill was passed and title agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has concurred in the house amendments to senate files numbers 215, 108, and 34.

J. H. SANDERS, Sec'y of Senate.

House file number 387, a bill for an act in relation to injunctions sought and defenses set up on account of usury, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Macomber, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—53.

The nays were—Messrs. Bowdoin, Blackford, Cottell, Gurley, Mitchell, Rees, Riddle, Williams—8.

Absent or not voting—Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Gniffke, Hedges,

Kellogg, Lynch, Mangold, McCullough of Jackson, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Reed, Robinson, Robb, Taylor, Whitaker, Williamson of Warren, Wright.

The bill was passed and title agreed to.

House file number 320, a bill for an act to insure a more prompt and speedy publication and distribution of the session laws and other public documents, was taken up and read a second time, when Mr. Bereman moved to fill the first blank with '60.' Carried.

Mr. Bereman moved to fill the second blank with '120.' Carried.

Mr. Bereman moved to fill the third blank with '30.' Carried.

The rule then was suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Moser, Parker, Paulk, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—63.

The nays were—None.

Absent or not voting—Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Gillett, Hedges, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Morehead, Noble, Peet, Price of Lee, Price of Muscatine, Robb, Stevens, Whitaker, and Williamson of Warren.

The bill was passed and title agreed to.

Senate file number 124, a bill for an act requiring banking corporations to make quarterly settlements, was taken up, read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Quinn, Rees, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—59.

The nays were—Mr. Stevens—1.

Absent or not voting—Messrs. Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Darling, Davis of Johnson, Dennison, Hedges, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Reed, Robinson, Robb, Stanton, Whitaker, Williamson of Warren.

The bill was passed and the title agreed to.

The House then took up senate file number 120, a bill for an act entitled an act changing the boundaries of Dickinson county; the bill was read a second time, when Mr. Hall moved to lay the bill on the table. Carried.

The house then took up house file number 199, an act to enable the people to change the boundaries of counties, and the bill was read a second time, when Mr. Rees moved to add the following amendment: *Provided*, That the Board of Supervisors shall be invested with the powers of the county judge, from and after the first of January, 1861. Carried.

The rule was suspended, the bill was read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Bowdoin, Blackford, Bremner, Caldwell, Clark of Jefferson, Conner, Crawford, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Lambert, Macomber, McQuinn, Millard, Morehead, Moser, Quinn, Rees, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Tompkins, Williamson of Louisa, and Mr Speaker—39.

The nays were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Clark of Des Moines, Cottell, Curtis, Doggett, Haskall, Jones, LeLacheur, Parker, Paulk, Reed, Robinson, Stanton, Stevens, Taylor, Williams, Williamson of Warren, Withrow, Witter—25.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Cowing, Darling, Davis of John., Dennison, Hedges, Kellogg, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Robb, Whitaker, Williamson of Warren, Wright.

The bill was lost, for want of a constitution majority.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 232, in which the concurrence of the House is asked.

Also, the following concurrent resolution:

Resolved, By the Senate, the House concurring, That it is hereby made the duty of the Secretary of the State, to furnish one copy of the Revised Statutes of Iowa to each member of this General Assembly, as soon as they are published; also, purchase and de-

liver one copy of the Iowa Digest (by Dillon) of the Supreme Court of this State, to each of said members; also, purchase one copy of said Digest, and forward it, with a copy of the Revised Statutes, to the library of each State of the Union.

J. H. SANDERS, Sec'y of Senate.

The house then took up the concurrent resolution in relation to furnishing the members of the house with the laws and Dillon's Digest, and Mr. Withrow moved to add after 'Assembly,' 'and clerks of the house and senate.' Carried.

Mr. Curtis moved to amend by striking out all that part of the resolution relating to Dillon's Digest. Lost.

The concurrent resolution was then adopted.

House file number 308, a bill for an act relating to the repairs of the Capitol Building, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Lambert, LeLacheur, Macomber, McQuinn, Millard, Mitchell, Morehead, Moser, Peet, Quinn, Rees, Rosenkrans, Riddick, Sabin, Shipman, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—49.

The nays were—Messrs. Beal, Barnes, Bracewell, Curtis, Doggett, Dunlavey, Ellis, Hotchkiss, Jones, Parker, Paulk, Reed, Riddle, Robinson, Stanton—15.

Absent or not voting—Messrs. Bennett, Blackford, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gue, Gurley, Hedges, Kellogg, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Robb, Whitaker, Wright.

The bill was passed and the title agreed to.

Senate file number 232, a bill for an act to amend an act entitled an act authorizing general banking in the State of Iowa, was taken up and read a first and second time, when Mr. Jennings moved to lay the bill on the table. Lost.

The bill was then read a third time, the rule being suspended, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Blackford, Bremner, Clark of Des Moines, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Harris, Hoag, Hotchkiss, Hunt, LeLacheur, McQuinn, Millard, Morehead, Moser, Parker, Paulk, Peet, Quinn, Rees, Riddle, Robinson, Rosenkrans, Sabin, Streeter, Taylor, Tomp

kins, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Bemis, Bereman, Bowdoin, Bracewell, Clark of Jefferson, Conner, Cottell, Cowing, Haskell, Jennings, Jones, Lambert, Macomber, McCullough of Jackson, Mitchell, Ruddick, Shipman, Stanton, Stevens, Williamson of Louisa—20.

Absent or not voting—Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gue, Hedges, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Robb, Whitaker, Wright.

The bill was passed and the title agreed to.

Mr. Gurley, by leave, introduced house file number 397, a bill for an act to repeal sections 50, 51, 52, of chapter 152, of the acts of the 7th General Assembly; which was read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Parker, Peet, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—63.

The nays were—None.

Absent or not voting—Messrs. Barnes, Bennett, Campbell, Clark of Johnson, Claggett, Conner, Darling, Davis of Johnson, Hedges, Jones, Kellogg, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Paulk, Price of Lee, Price of Muscatine, Quinn, Robb, Whitaker.

The bill passed and the title was agreed to.

House file number 315, an act authorizing the Governor to offer rewards for the arrest and delivery of persons charged with the commission of capital crimes, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Peet, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens,

Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—59.

The nays were—Messrs. Beal, Bereman, Doggett, Gniffke, Jones—5.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gillett, Hedges, Jennings, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Paulk, Price of Lee, Price of Muscatine, Rees, Robb, Stanton, Whitaker, Wright.

The bill was passed and the title agreed to.

Senate file number 233, a bill for an act providing for the election and defining the duties of Supreme Court Reporter, was taken up and read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Dennison, Dunlavey, Ellis, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Paulk, Peet, Quinn, Reed, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—60.

The nays were—Messrs. Blackford, Bremner, Curtis, Doggett, Parker, Rees—6.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gillett, Hedges, Kellogg, Lambert, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Rees, Robb, Whitaker, Wright.

The bill was passed and title agreed to.

The house then took up house file number 378, a bill for an act to appoint commissioners to take charge of and make settlement of the loans of the school fund made by Jas. D. Eads, late Superintendent of Public Instruction for the State of Iowa. The bill was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bremner, Clark of Des Moines, Conner, Curtis, Dennison, Dunlavey, Ellis, Gniffke, Goodrell, Hall, Harris, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, McQuinn, Moser, Peet, Robinson, Shipman, Withrow, Witter, Wright, and Mr. Speaker—28.

The nays were—Messrs. Barnes, Bemis, Bowdoin, Blackford, Clark of Jefferson, Cottell, Cowing, Crawford, Doggett, Davis of Jasper, Glasgow, Gue, Gurley, Haskall, Hoag, Jones, Macomber, McCullough of Jackson, Millard, Morehead, Parker, Paulk, Quinn,

Reed, Rees, Riddle, Rosenkrans, Ruddick, Stanton, Stevens, Streeter, Tompkins, Williams, Williamson of Louisiana—34.

Absent or not voting—Messrs. Bracewell, Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gillett, Hedges, Kellogg, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Price of Muscatine, Robb, Sabin, Taylor, Whitaker, Williamson of Warren.

The bill was lost.

Message from the Senate :

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 233, in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

House file number 259, an act to authorize the Des Moines Navigation and Railroad Company to create and issue preferred stock, and for other purposes, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows :

The yeas were—Messrs. Bremner, Caldwell, Clark of D. Moines, Cottell, Goodrell, Hall, Hunt, Macomber, Mitchell, Morehead, Moser, Sabin, Shipman, Williamson of Warren, Withrow—15.

The nays were—Messrs. Baker, Beal, Barnes, Bemis, Blackford, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Denison, Dunlavey, Gniffke, Gue, Haskall, Harris, Hoag, Lambert, LeLacheur, McCullough of Jackson, McQuinn, Millard, Parker, Paulk, Quinn, Reed, Rees, Riddle, Rosenkrans, Ruddick, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisiana, Witter, Wright—41.

Absent or not voting—Messrs. Bereman, Bowdoin, Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Darling, Davis of Johnson, Ellis, Gillett, Glasgow, Gurley, Hedges, Hotchkiss, Jennings, Jones, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Robinson, Robb, Whitaker, and Mr. Speaker.

The bill was lost.

Mr. Curtis moved to adjourn. Carried.

2 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Caldwell, by leave, offered the following resolution :

Resolved, That the Secretary of State furnish to the Sergeant-at-Arms of this House, the same books and documents that have been or may be furnished the clerks of this House, in pursuance of any resolution thereof. Adopted.

Mr. Hall, by leave, introduced the following resolution :

WHEREAS, a concurrent resolution has this day passed both branches of the General Assembly requiring the Secretary of State to purchase certain books, and

WHEREAS, there is no law authorizing said Secretary to draw money from the Treasury to pay for the same, therefore, be it

Resolved, That the committee on ways and means be required to insert in the appropriation bill now being made up, a sufficient sum to purchase such books.

Which was adopted.

Senate file number 111, a bill for an act to legalize the sales of certain school lands in Tama county, made by L. S. Fredrick, a Fund Commissioner of said county, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Barnes, Bemis, Bereman, Blackford, Bremner, Caldwell, Clark of Des Moines, Cowing, Crawford, Doggett, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Jennings, Lambert, Macomber, McQuinn, Millard, Mitchell, Morehead, Parker, Quinn, Rees, Rosenkrans, Ruddick, Sabin, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Wright and Mr. Speaker—39.

The nays were—Messrs. Baker, Beal, Bracewell, Clark of Jefferson, Conner, Curtis, Dunlavey, Gniffke, Harris, Hotchkiss, Kellogg, LeLachur, McCullough of Jackson, Paulk, Reed, Riddle, Robinson, Stanton, Stevens, Williams—20.

Absent or not voting—Messrs. Bowdoin, Bennett, Campbell, Clark of Johnson, Claggett, Cottell, Darling, Davis of Johnson, Dennison, Ellis, Hedges, Jones, Lynch, Mangold, McCullough of Lee, Merrill, Moser, Noble, Peet, Price of Lee, Price of Muscatine, Robb, Shipman, Whitaker, Williamson of Warren, Witter and Mr. Speaker.

The bill was lost.

Message from the Senate.

MR. SPEAKER :—I am directed by the Senate to inform the house that the senate has passed house file number 372, which I herewith return without amendment.

MR. SPEAKER :—I herewith present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate: number 227, 212, 202, 226, and 96.

I also return house files numbers 353 and 377, the same having passed the Senate without amendment:

I also return house file number 267, with a substitute, which the senate has adopted and passed.

I also return house file number 117, the senate having refused to pass the same.

I herewith return house file number 237, the Senate having pass-

ed the same with an amendment to section 1, in which the concurrence of the house is asked.

I am also directed to inform the House that the Senate has passed senate file number 234, in which the concurrence of the house is asked :

J. H. SANDERS, Sec'y Senate.

Mr. Witter moved to reconsider the vote by which house file number 199 was lost in the forenoon.

Mr. Clark of Des Moines moved to lay the motion to reconsider on the table. Carried.

Mr. Kellogg, by leave, offered the following resolution :

Resolved, That the same number and kinds of books be furnished by the Secretary of State, to Gen. Wilson, that have been furnished to the officers of this house.

Which was laid on the table.

Senate file number 234, a bill providing for the taking effect of Senate file number 6, was taken up and read a first and second time, the rule suspended, the bill read a third time, and on the question shall the bill pass ?

The yeas were—Messrs. Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskell, Harris, Hoag, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Quinn, Reed, Rees, Robinson, Rosenkrans, Ruddick, Sabin, Stanton, Streeter, Taylor, Williams, Williamson of Louisa, Williamson of Warren, Withrow, and Witter—55.

The nays were—Messrs. Baker, Gniffke, Peet—3.

Absent or not voting—Bennett, Bowdoin, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Gurley, Hedges, Hotchkiss, Hunt, Jennings, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Riddle, Robb, Shipman, Stevens, Tompkins, Whitaker, Wright, Mr. Speaker.

The bill was passed, and the title agreed to.

Senate file number 225, a bill for an act providing for the submission to the people of a general banking law, was taken up, read a first and second time, the rule suspended, the bill read a third time, and on the question shall the bill pass ?

The yeas were—Messrs. Baker, Beal, Barnes, Bowdoin, Bracewell, Blackford, Bremner, Clark of Jefferson, Clark of Des Moines, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Gniffke, Gue, Gurley, Hall, Harris, Hoag, Hotchkiss, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Taylor, Williams,

Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—50.

The nays were—Messrs. Bemis, Bereman, Caldwell, Claggett, Cottell, Cowing, Glasgow, Goodrell, Haskell, Moser, Ruddick, Sabin, Stanton, Streeter, Tompkins,—15.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Cottle, Darling, Davis of Johnson, Hedges, Hunt, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Price of Muscatine, Rosenkrans, Robb, Shipman, Stevens, Whitaker.

The bill was passed and the title agreed to.

Message from the Governor.

EXECUTIVE OFFICE, IOWA, {
April 2d, 1860. }

Gentlemen of the House of Representatives :

I return to your house, in which it originated, without my approval, "An act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque."

My reasons for withholding my approval from this, are as follows: Chapter 218 of the acts of the sixth General Assembly, cede to the United States jurisdiction of such lands as the United States had then purchased, and might thereafter purchase in this State for public uses, with a proviso that nothing in said act contained, should be so construed "as to prevent, on such lands, the service of judicial process issued by any court of this State, or prevent the courts of this State from exercising jurisdiction of crimes committed thereon." The act under consideration cedes jurisdiction to certain lots in Dubuque, with a proviso that this State shall retain concurrent jurisdiction so far, "that all civil process, and such criminal process as may be issued under authority of this State against any person or persons charged with crimes committed within the bounds of this State, may be executed thereon in the same manner as though this jurisdiction had not been granted."

Upon a careful examination of the proposed act, I am of opinion that, taken in connection with the act of 1857, it would be construed to yield to the United States exclusive jurisdiction of crimes committed on the lands of which jurisdiction is ceded, only retaining the right to serve process on said lands on persons who had committed crimes within the State limits, but without the lands over which jurisdiction has been ceded. I cannot consent to the passage of any law which surrenders the jurisdiction of crimes against the laws of our State, committed within her borders, to any other authority.

I have examined, to some extent, the legislation of other States upon this subject, and find it not to be uniform, but that in many cases the same extent of jurisdiction is reserved to the States as is reserved to this State by the law of 1857. Two cessions of

land and jurisdiction was made by the State of New York by act of April 8, 1850, in which jurisdiction to the State was reserved in the following language: "And such jurisdiction is granted upon the express condition that the State of New York shall retain concurrent jurisdiction with the United States, in and over the said lands, so far as that civil process in all cases not affecting the real and personal property of the United States, and such criminal or other process as shall issue under the authority of the State of New York, against any person or persons charged with crimes or misdemeanors committed within or without the limits of the said lands, may be executed therein, in the same way and manner as if no jurisdiction had been hereby ceded."

It thus appears that the United States accepts from other States a jurisdiction as limited as that ceded by this State by the laws of 1857, and even were this otherwise, I could not give my approval to a law which would establish, within the limits of our State a place within which crimes, against our own laws, could be committed, leaving our own courts powerless to punish these crimes.

SAMUEL J. KIRKWOOD.

The question then was, shall the bill pass, notwithstanding the Governor's veto, the yeas and nays were as follows:

The yeas were—Messrs. Clark of Des Moines, Conner, Cottell, Harris, Hotchkiss, Jones, Kellogg, LeLacheur, Paulk, Peet, Robinson, Stevens, Williams, Williamson of Warren—18.

The nays were—Messrs. Baker, Beal, Barnes, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Gillett, Glasgow, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Macomber, McQuinn, Millard, Morehead, Moser, Parker, Price of Muscatine, Quinn, Reed, Rees, Riddle, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—47.

Absent or not voting—Messrs. Bemis, Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Ellis, Hedges, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Robb, Taylor, Whitaker.

The bill was lost.

Senate file number 231, a bill for an act making an appointment of a Commissioner for the Iowa Hospital for the Insane, was taken up and read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jennings, Lambert, LeLacheur, Macomber, McQuinn, Millard, More-

head, Parker, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Shipman, Stanton, Streeter, Taylor, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright, and Mr. Speaker—56.

The nays were—Messrs. Kellogg, Peet, Tompkins, Williams,—4.

Absent or not voting—Messrs. Bemis, Bowdoin, Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dunlavey, Hedges, Jones, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Paulk, Price of Lee, Robb, Sabin, Stevens, Whitaker.

The bill was passed and the title agreed to.

The committee on enrolled bills ask leave to report that they have handed to the Governor for his signature, the following bills, viz :

House file number 35, an act to provide for the redemption of real estate sold on foreclosure of Mortgage.

House file number 333, an act exempting lands owned by the University from taxation, and protecting real estate on which the school or University funds have liens, from sale for taxes.

House file number 341, an act in relation to the government of the Penitentiary of Iowa, the appointment of its officers, fixing their salaries, and punishing malfeasance in office.

Also, that they have examined the following bills, numbers 228, 290, 298, 355, 230, 151, 358, 352, 347, 388, 371, and the following joint resolutions, numbered 368, 385, 383, 386, 99, and 311, and find the same correctly enrolled.

J. W. DENNISON, Chairman.

Senate substitute for house file number 367, a bill for an act to provide for canvassing the votes in Senatorial and Representative districts, was taken up and read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Conner, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jones, Kellogg, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Williamson of Louisa, Withrow, Wright, and Mr. Speaker—58.

The nays were—Messrs. Moser, Tompkins—2.

Absent or not voting—Bowdoin, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Cottell, Darling, Davis of Johnson, Gurley, Hedges, Jennings, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee,

Price of Muscatine, Robb, Whitaker, Williams, Williamson of Warren, Witter.

The bill was passed and the title agreed to.

House file number 237, a bill for an act to rebate taxes on property destroyed by fire, was taken up, and the question being on concurring in the amendments made in the Senate, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Glasgow, Goodrell, Gue, Gurley, Hall, Harris, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, Macomber, McCullough of Jackson, Millard, Morehead, Parker, Peet, Quinn, Reed, Rees, Riddle, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Williams, Williamson of Louisa, Withrow, Witter, Wright—53.

The nays were—Messrs. Ellis, Robinson—2.

Absent or not voting—Messrs. Bowdoin, Bennett, Blackford, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gillett, Gniffke, Haskell, Hedges, LeLacheur, Lynch, Mangold, McCullough of Lee, McQuinn, Mitchell, Merrill, Moser, Noble, Paulk, Price of Lee, Price of Muscatine, Rosenkrans, Robb, Ruddick, Tompkins, Whitaker, Williamson of Warren, Mr. Speaker.

The bill was passed and the title agreed to.

Mr. Gurley, by leave, introduced house file number 399, a bill for an act requiring the Clerk of the Board of Supervisors to give bond, which was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Des Moines, Conner, Cottell, Cowing, Curtis, Doggett, Davis of Jasper, Dennison, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Jones, Kellogg, Lambert, Macomber, McCullough of Jackson, Millard, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Ruddick, Sabin, Shipman, Stevens, Streeter, Taylor, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright and Mr. Speaker—52.

The nays were—Messrs. Beal, Barnes, Caldwell, Clark of Jefferson, Dunlavey, Ellis, Hotchkiss—8.

Absent or not voting—Messrs. Bemis, Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Hedges, Lynch, Mangold, McCullough of Lee, McQuinn, Mitchell, Merrill, Noble, Price of Lee, Price of Muscatine, Robinson, Rosenkrans, Robb, Tompkins, Whitaker, Williams.

The bill was passed, and the title agreed to.

Senate file number 192, a bill for an act relating to municipal corporations, was taken up and read a first and second time, the

rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Clark of Des Moines, Conner, Cottell, Cowing, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Goodrell, Hall, Haskell, Hoag, Hunt, Lambert, McQuinn, Parker, Paulk, Quinn, Rosenkrans, Ruddick, Sabin, Shipman, Streeter, Williamson of Warren, Witter, and Mr Speaker—35.

The nays were—Messrs. Beal, Caldwell, Clark of Jefferson, Curtis, Dennison, Glasgow, Gniffke, Hotchkiss, Jennings, Jones, Kellogg, Macomber, McCullough of Jackson, Millard, Morehead, Paulk, Peet, Reed, Rees, Riddle, Stevens, Taylor, Williams, Williamson of Louisa—24.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Crawford, Darling, Davis of Johnson, Gue, Gurley, Harris, Hedges, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Price of Lee, Price of Muscatine, Robinson, Robb, Stanton, Tompkins, Whitaker, Withrow, Wright.

The bill was lost, for want of a constitutional majority.

Message from the Senate.

MR. SPEAKER:—I am directed by the Senate to inform the House that the Senate has passed, without amendment, house file number 253 and house file number 344.

J. H. SANDERS, Sec'y of Senate.

Mr. Jennings, by leave, introduced house file number 400, an act ceding jurisdiction over certain lots in the city of Dubuque, which was read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, Millard, Morehead, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Sabin, Shipman, Stevens, Streeter, Taylor, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—57.

The nays were—Messrs. Barnes, Davis of Jasper, Ruddick, Stanton—4.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Gurley, Haskell, Harris, Hedges, Lynch, Mangold, McCullough of Lee, McQuinn, Mitchell, Merrill, Moser, Noble, Price of Lee, Price of Muscatine, Robb, Tompkins, Whitaker, Withrow, Wright.

The bill was passed and the title agreed to.

Mr. Baker moved that when this house adjourns it be till 7 o'clock this evening. Carried.

Senate file number 230, a bill for an act in relation to roads and highways, was taken up and read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bereman, Bowdoin, Bracewell, Bremner, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Hall, Haskell, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, McQuinn, Millard, Morehead, Parker, Paulk, Peet, Quinn, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stevens, Taylor, Williams, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—53.

The nays were—Messrs. Barnes, Blackford, McCullough of Jackson, Reed, Streeter, Tompkins—6.

Absent or not voting—Bracewell, Bennett, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Darling, Davis of Johnson, Gniffke, Gurley, Harris, Hedges, Lynch, Macomber, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Price of Lee, Price of Muscatine, Robb, Stanton, Whitaker, Williamson of Warren, Wright.

The bill was passed and the title agreed to.

Senate file number 35, an act to legalize certain railroad bonds in Mitchell county, was taken up, read a first and second time, when Mr. Barnes moved to lay the bill on the table. Lost.

The rule was then suspended, the bill read a third time, and on the question shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Bremner, Clark of Des Moines, Conner, Cowing, Crawford, Dennison, Gillett, Goodrell, Gue, Gurley, Hall, Haskell, Hoag, Hotchkiss, Hunt, Kellogg, Lambert, McQuinn, Millard, Parker, Quinn, Rees, Robinson, Sabin, Streeter, Tompkins, Williams, Williamson of Warren, Witter, and Mr. Speaker—35.

The nays were—Messrs. Barnes, Bemis, Blackford, Clark of Jefferson, Curtis, Davis of Jasper, Dunlavey, Ellis, Glasgow, Harris, Jones, LeLacheur, McCullough of Jackson, Morehead, Reed, Riddle, Ruddick, Stanton, Stevens, Williamson of Louisa, Withrow—23.

Absent or not voting—Messrs. Bereman, Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Doggett, Darling, Davis of Johnson, Gniffke, Hedges, Jones, Lynch, Macomber, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Paulk, Price of Lee, Price of Muscatine, Rosenkrans, Robb, Shipman, Taylor, Whitaker, Wright.

The bill was lost.

Mr. Kellogg moved to adjourn. Lost.

House file number 314, an act in relation to dogs was taken up and read a second time, when Mr. Riddle moved to lay the bill on the table. Lost.

The rule was then suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Blackford, Bremner, Caldwell, Clark of Jefferson, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Dennison, Dunlavey, Gillett, Glasgow, Goodrell, Gue, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, LeLacheur, Macomber, McQuinn, Morehead, Parker, Paulk, Price of Muscatine, Quinn, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Beal, Bereman, Clark of Des Moines, Conner, Ellis, Hall, Harris, McCullough of Jackson, Millard, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Williams—15.

Absent or not voting—Bracewell, Bennett, Campbell, Clark of Johnson, Olaggett, Doggett, Darling, Davis of Johnson, Gniffke, Gurley, Haskell, Hedges, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Peet, Price of Lee, Robb, Whitaker, Williams, Williamson of Warren, Wright.

The bill was passed and the title agreed to.

Senate file number 186, a bill for an act to prevent diseased animals from running at large, was taken up, read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gue, Hall, Hoag, Hotchkiss, Hunt, Jennings, Jones, Lambert, McCullough of Jackson, McQuinn, Morehead, Moser, Parker, Paulk, Peet, Price of Muscatine, Quinn, Rees, Riddle, Rosenkrans, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—53.

The nays were—Messrs. Beal, Bereman, Goodrell, Haskell, Kellogg, Macomber, McCullough of Jackson, Millard, Reed, Ruddick, Williams—11.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Olaggett, Cowing, Darling, Davis of Johnson, Gniffke, Gurley, Hedges, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Price of Lee, Robinson, Robb, Sabin, Whitaker, Wright.

The bill was passed and the title agreed to.

Mr. Edwards moved a reconsideration of the vote whereby senate file number 35 was lost. Carried.

On the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Beal, Bowdoin, Bracewell, Blackford, Bremner, Clark of Des Moines, Conner, Cottell, Crawford, Davis of Jasper, Dennison, Dunlavey, Gillett, Goodrell, Gue, Hall, Haskall, Hoag, Hotchkiss, Hunt, Jennings, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Moser, Parker, Quinn, Rees, Robinson, Rosenkrans, Sabin, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Warren, Withrow, Witter, and Mr. Speaker—45.

The nays were—Messrs. Barnes, Bemis, Caldwell, Clark of Jefferson, Curtis, Doggett, Ellis, Glasgow, Harris, Morehead, Price of Muscatine, Reed, Riddle, Ruddick, Shipman, Stanton, Williamson of Louisa, Wright—18.

Absent or not voting—Bereman, Bennett, Campbell, Clark of Johnson, Claggett, Cowing, Darling, Davis of Johnson, Gniffke, Gurley, Hedges, Jones, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Paulk, Price of Lee, Robb, Whitaker.

The bill was passed and title agreed to.

Mr. Wright, by leave, introduced house file number 398, a bill for an act making appropriations for the payment of the members and officers of the eighth General Assembly, and for other purposes, which was read a first and second time.

Mr. Curtis moved to strike out \$80 for printing Holland nages, and insert \$50. Lost.

The bill was then read a third time, and on the question, the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Doggett, Davis of Jasper, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Harris, Hoag, Hunt, Jennings, Jones, Lambert, LeLacheur, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, Wright—58.

The nays were—Messrs. Curtis, Kellogg, Stevens—3.

Absent or not voting—Messrs. Bowdoin, Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Haskall, Hedges, Hotchkiss, Lynch, Macomber, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Robb, Shipman, Taylor, Whitaker.

The bill was passed and title agreed to.

Mr. Kellogg moved to adjourn. Carried.

7 O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Caldwell, by leave, offered the following resolution :

Resolved, That the Secretary of State cause to be bound by the State Binder, a sufficient number of a volume to furnish each member a copy thereof, one copy of all reports of State officers, and other reports made to this General Assembly, and all reports (which have been printed) made by the committees of either house, and also a list of the members, &c., and which may not be embraced in the volume of documents bound under a former resolution of this house. When such documents are bound, the Secretary is hereby directed to forward to each member of the General Assembly one copy of such volume, and that Mr. Goodrell be appointed a committee to superintend the same. Adopted.

Message from the Senate :

MR. SPEAKER:—I am directed to inform the house that the senate has passed senate file number 398, with amendments, in which the concurrence of the house is asked: Strike out \$129, as compensation of E. H. Brown, for mail carrying, and insert \$215; also, sundry additions, in which the concurrence of the house is asked.

Also, that the senate has passed senate file number 222, in which the concurrence of the house is asked.

in house file number 324, the senate having refused same.

J. H. SANDERS, Sec'y of Senate.

He then took up house file number 398, being the special bill, and the question being on concurring in the senate amendments to the same, Mr. Wright moved to amend by adding, "for paying further postage for this General Assembly, two hundred dollars, or so much thereof as may be necessary."

Mr. Goodrell moved to add: "for pay of John Watson, 4 days services as fireman, before the commencement of the session, \$12. Carried.

Mr. LeLachur moved to strike out the provision for paying clergymen. Lost.

On concurring in the amendments of the senate, the yeas and nays were as follows;

The yeas were—Messrs. Baker, Barnes, Bereman, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Davis of Jasper, Gillett, Glasgow, Gniffke, Goodrell, Gurley, Hall, Hoag, Jennings, Macomber, McQuinn, Millard, Morehead, Moser, Paulk, Peet, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—44.

The nays were—Messrs. Beal, Campbell, Curtis, Gue, Haskell, Harris, Hotchkiss, Jones, Kellogg, Lambert, LeLachur, McCul-

lough of Jackson, Parker, Reed, Stevens, Taylor—16.

Absent or not voting.—Bemis, Bowdoin, Bracewell, Bennett, Clark of Johnson, Claggett, Doggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Hedges, Hunt, Lynch, Mangold, Mitchell, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Quinn, Whitaker, Williamson of Warren.

The bill was passed and the title agreed to.

Message from the Senate :

MR. SPEAKER:—I am directed by the senate to inform the house that the senate has passed house substitute for senate file number 69, the senate having amended the same by an additional section, in which the concurrence of the house is asked.

J. H. SANDERS, Sec'y of Senate.

The house then took up senate file number 222, an act providing for the revision of the laws of this session into the revision presented by the commissioners, and also superintending the publication, indexing and distributing the same.

The bill was read a first and second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Doggett, Davis of Jasper, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurvey, Hall, Haskell, Harris, Hoag, Hotchkiss, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Mitchell, Morehead, Moser, Parker, Peet, Reed, Rees, Riddle, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—50.

The nays were—Messrs. Bemis, Bowdoin, Campbell, Curtis, Stevens—5.

Absent or not voting—Messrs. Bennett, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Ellis, Hedges, Hunt, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Paulk, Price of Lee, Price of Muscatine, Quinn, Robinson, Rosenkrans, Whitaker, Williamson of Warren.

The bill was passed and title agreed to.

House substitute for senate file number 69, being a bill for an act to amend chapter 188 of the acts of the 6th General Assembly, was taken up, and the question being on concurring in the senate's amendment thereto, the yeas and nays were as follows :

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Crawford, Curtis, Doggett, Davis of Jasper, Dunlavey, Gillett, Glasgow, Gniffke, Goodrell, Gue, Hall, Haskell, Harris, Hoag, Jennings, Jones, Lambert, LeLacheur, Macomber, McQuinn, Millard, Morehead, Moser, Par-

ker, Paulk, Peet, Quinn, Reed, Rees, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stapton, Streeter, Tompkins, Williams, Williamson of Louisa, Withrow, Witter, Wright, and Mr. Speaker—58.

The nays were—Messrs. Cowing, Hotchkiss, Kellogg, Mitchell—4.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Ellis, Hedges, Gurley, Hunt, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Merrill, Noble, Price of Lee, Price of Muscatine, Robinson, Robb, Stevens, Taylor, Whitaker, Williamson of Warren.

The bill was passed and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the house that the senate has concurred in the house amendments to house file number 398.

J. H. SANDERS, Sec'y of Senate.

Substitute for senate file number 167, a bill for an act to amend an act entitled an act requiring witness fees to be paid into the county treasury, was taken up, the bill read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hotchkiss, Jennings, Jones, Lambert, LeLacheur, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Moser, Parker, Peet, Price of Lee, Quinn, Reed, Rees, Riddle, Rosenkrans, Ruddick, Sabin, Stanton, Streeter, Taylor, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—63.

The nays were—Messrs. Beal, Bowdoin, Conner, Gniffke, Mitchell, Paulk, Williams, Williamson of Warren—8.

Absent or not voting—Messrs. Bennett, Caldwell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Hedges, Hunt, Jennings, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Muscatine, Robinson, Robb, Shipman, Stevens, Whitaker, Wright.

The bill passed and the title was agreed to.

Senate file number 223, an act in relation to railroad companies, &c., was taken up and read a second time.

Mr. Bremner moved to lay the bill on the table. Carried.

Senate file number 177, an act to legalize the collection of taxes for the county of Grundy, and the delivery of the tax list to the treasurer of that county, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question,

shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bowdoin, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Gillett, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Hoag, Jennings, Jones, Lambert, Millard, Mitchell, Morehead, Moser, Parker, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—52.

The nays were—Messrs. Bereman, Doggett, Dunlavey, Gniffke, Hotchkiss, Kellogg, Macomber, McCullough of Jackson, Paulk, Price of Muscatine, Stevens—11.

Absent or not voting—Messrs. Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Ellis, Hedges, Hunt, LeLacheur, Lynch, Mangold, McCullough of Lee, McQuinn, Merrill, Noble, Peet, Price of Lee, Quinn, Robb, Whitaker, Wright, and Mr. Speaker.

The bill was passed and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I herewith present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled by the Senate:

Senate files numbers 367, 231, 215, 225, 35, 230, 232, 124, 191, 34, 108 and 234.

I also return house file number 400, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

Senate file number 165, a bill for an act in relation to mechanics' liens, was taken up and read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Blackford, Clark of Jefferson, Conner, Cowing, Curtis, Doggett, Dennison, Glasgow, Gniffke, Goodrell, Hall, Haskell, Hoag, Hunt, Jones, LeLacheur, Macomber, McQuinn, Mitchell, Morehead, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stevens, Taylor, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—41.

The nays were—Messrs. Barnes, Bereman, Bowdoin, Bremner, Clark of Des Moines, Cottell, Crawford, Davis of Jasper, Dunlavey, Gillett, Gue, Gurley, Harris, Hotchkiss, Jennings, Lambert, McCullough of Jackson, Millard, Moser, Parker, Quinn, Riddle, Shipman, Stanton, Streeter, Tompkins, Wright—27.

Absent or not voting—Messrs. Bemis, Bennett, Caldwell, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Ellis, Hedges, Kellogg, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Robb, Whitaker.

The bill was lost.

Mr. Peet moved a reconsideration of the vote last taken. Carried.

The question then recurring on the passage of the bill, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bracewell, Blackford, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cowing, Curtis, Doggett, Davis of Jasper, Glasgow, Gniffke, Goodrell, Hall, Haskell, Harris, Hoag, Hunt, Jennings, Jones, Kellogg, LeLacheur, Macomber, McQuinn, Millard, Mitchell, Morehead, Moser, Paulk, Peet, Price of Muscatine, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—51.

The nays were—Messrs. Barnes, Cottell, Crawford, Gillett, Gue, Gurley, Hedges, Lambert, McCullough of Jackson, Parker, Quinn, Shipman, Wright—13.

Absent or not voting—Messrs. Bereman, Bowdoin, Bennett, Bremner, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Hedges, Lynch, Mangold, McCullough of Lee, Merrill, Noble, Price of Lee, Riddle, Whitaker.

The bill was passed and the title agreed to.

Senate file number 25, a bill for an act to provide for the payment of the late school fund commissioners, in certain cases, was taken up and read a second time, when Mr. Robb moved to indefinitely postpone the bill. Carried.

Senate file number 217, a bill for an act to enforce settlement and collection of the claims of the State with Winterbottom and Jones & Headly, contractors of prison labor in the Iowa Penitentiary, was taken up and read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Dunlavey, Gillett, Glasgow, Gue, Gurley, Haskell, Harris, Hoag, Hotchkiss, Hunt, Jones, Lambert, LeLacheur, Macomber, Millard, Morehead, Moser, Paulk, Peet, Price of Muscatine, Quinn, Reed, Riddle, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Streeter, Tompkins, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—54.

The nays were—Messrs. Campbell, Connor, Glasgow, Jennings, Parker, Rees, Robinson, Williams—7.

Absent or not voting—Messrs. Bowdoin, Bennett, Clark of Johnson, Claggett, Darling, Davis of Johnson, Ellis, Goodrell, Hall, Hedges, Kellogg, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Noble, Price of Lee, Stevens, Taylor, Whitaker Wright.

The bill was passed and title agreed to.

Mr. Edwards moved that Messrs. Lambert and Glasgow be added to the committee on enrolled bills. Carried.

Mr. Gurley, by leave, introduced house file number 401, a bill for an act in relation to revenue, and assessment for State purposes for the year 1857, which was read a first and second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were ordered, and were as follows:

The yeas were—Messrs. Baker, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Cottell, Crawford, Davis of Jasper, Gillett, Gue, Gurley, Hall, Haskell, Hoag, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Macomber, McCullough of Jackson, Millard, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Rees, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Tompkins, Withrow, Witter, and Mr. Speaker—47.

The nays were—Messrs. Beal, Bemis, Campbell, Conner, Curtis, Doggett, Dunlavey, Gniffke, Harris, Hotchkiss, Price of Muscatine, Williams, Williamson of Louisa—13.

Absent or not voting—Messrs. Barnes, Bowdoin, Bennett, Clark of Johnson, Claggett, Cowing, Darling, Davis of Johnson, Dennison, Ellis, Glasgow, Goodrell, Hedges, Lynch, Mangold, McCullough of Lee, McQuinn, Mitchell, Merrill, Noble, Price of Lee, Riddle, Taylor, Whitaker, Williamson of Warren, and Wright.

The bill was passed and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I herewith return house file number 369, the same having passed the Senate with sundry amendments, in which the concurrence of the house is asked.

J. H. SANDERS, Sec'y of Senate.

Substitute for house file number 194, an act to legalize the levy of a tax for a school house in Forest City township district, in Howard county, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bracewell, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Cowing, Crawford, Curtis, Davis of Jasper, Gillett, Gniffke, Gue, Hall, Haskell, Hoag, Hotchkiss, Jennings, Jones, LeLacheur, Millard, Morehead, Moser, Parker, Paulk, Peet, Quinn, Reed, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—46.

The nays were—Messrs. Barnes, Campbell, Doggett, Dunlavey, Kellogg, Macomber, Morehead—7.

Absent or not voting—Messrs. Bereman, Bowdoin, Bennett, Blackford, Clark of Johnson, Claggett, Conner, Cottell, Darling, Davis of Johnson, Dennison, Ellis, Glasgow, Goodrell, Gurley,

Harris, Hedges, Hunt, Lambert, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, McQuinn, Mitchell, Merrill, Noble, Price of Lee, Price of Muscatine, Rees, Shipman, Whitaker and Wright.

The bill was passed and the title agreed to.

House file number 369, a bill for an act to provide for the publication of the revised statutes of 1860, was taken up, and the question being on concurring in the amendments made by the senate, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bremner, Caldwell, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Davis of Jasper, Denison, Dunlavey, Gillett, Gue, Gurley, Hall, Haskall, Harris, Hoag, Hunt, Jennings, Jones, Kellogg, LeLacheur, Macomber, McCullough of Jackson, Millard, Mitchell, Morehead, Moser, Parker, Peet, Price of Muscatine, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Lonisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—59.

The nays were—Messrs. Beal, Hotchkiss, Paulk—3.

Absent or not voting—Bowdoin, Bracewell, Bennett, Blackford, Clark of Johnson, Claggett, Doggett, Darling, Davis of Johnson, Ellis, Glasgow, Gniffke, Goodrell, Hedges, Lambert, Lynch, Mangold, McCullough of Lee, McQuinn, Merrill, Noble, Price of Lee, Whitaker and Wright.

The amendments were concurred in.

Mr. Curtis, by leave, offered the following resolution:

Resolved, That the Chief Clerk of this house be instructed to order the State Printer and Binder, that unless the reports of the Investigation Committees of the Insane Hospital and of the Penitentiary, be distributed before the final adjournment of this body on to-morrow, they will not be allowed any compensation for the same.

Which was adopted.

Mr. Cowing, by leave, offered the following resolution:

Resolved, That the per diem of the first assistant Clerk of this house be five dollars; that of the second assistant Clerk, four dollars; and that of the enrolling and engrossing Clerks, four dollars.

Mr. Hall moved to amend by giving all officers below clerks, the same as paid in the Senate. Carried.

Mr. Robb moved to amend by giving the chief Clerk six dollars. Carried.

On the adoption of the resolution as amended, the yeas and nays were demanded, by Mr. Rosenkrans, and were as follows:

The yeas were—Messrs. Baker, Bemis, Bremner, Crawford, Gniffke, Goodrell, Gue, Gurley, Hall, Hunt, McQuinn, Millard,

Parker, Quinn, Ruddick, Sabin, Streeter, Tompkins, Withrow, Witter, and Mr. Speaker—20.

The nays were—Messrs. Beal, Barnes, Bereman, Bracewell, Blackford, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Curtis, Doggett, Davis of Jasper, Dennison, Ellis, Gillett, Haskell, Hoag, Hotchkiss, Jones, Kellogg, LeLacheur, Macomber, Mitchell, Moser, Paulk, Price of Muscatine, Reed, Rees, Riddle, Rosenkrans, Robb, Shipman, Stanton, Stevens, Williams, Williamson of Louisa, Williamson of Warren, Wright—38.

Absent or not voting—Messrs. Bowdoin, Bennett, Caldwell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dunlavey, Glasgow, Harris, Hedges, Jennings, Lambert, Lynch, Mangold, McCullough of Jackson, McCullough of Lee, Merrill, Noble, Peet, Price of Lee, Robinson, Taylor, Whitaker.

The resolution was not adopted.

Message from the Senate :

MR. SPEAKER:—I herewith return house file number 324, the Senate having passed the same with sundry amendments, in which the concurrence of the house is asked.

I am also directed to inform the house that the senate has passed senate file number 127, in which the concurrence of the house is asked.

J. H. SANDERS, Sec'y of Senate.

House file number 281, an act to pay the claim of Joseph D. Hoag, as commissioner to locate a permanent seat of government, was taken up, when Mr. Bereman moved to lay the bill on the table. Carried.

House file number 280, a bill for an act limiting and fixing the interest on taxes in municipal corporations, was taken up, read a second time, the rule suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bereman, Bracewell, Bremner, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Ellis, Gillett, Gniffke, Gue, Hall, Haskell, Harris, Hotchkiss, Jennings, Jones, Kellogg, LeLacheur, Macomber, McQuinn, Millard, Morehead, Paulk, Quinn, Reed, Rees, Riddle, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Withrow, Witter, and Mr. Speaker—52.

The nays were—Messrs. Bemis, Goodrell, McCullough of Jackson, Moser, Parker—5.

Absent or not voting—Bowdoin, Bennett, Blackford, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dunlavey, Glasgow, Gurley, Hedges, Hoag, Hunt, Lambert, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Noble, Peet, Price of Lee, Price of Muscatine, Shipman, Whitaker, William.

son of Louisa, Williamson of Warren, Wright.

The bill was passed and the title agreed to.

House file number 246, a bill for an act requiring agents of this State to settle claims against the State by arbitration, was taken up and read a second time.

Mr. Robb moved to lay the bill on the table. Lost.

The bill was read a third time; the question then being on the passage of the bill, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bracewell, Bremner, Campbell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Curtis, Davis of Jasper, Dennison, Gillett, Goodrell, Gue, Hall, Haskall, Harris, Jennings, Jones, Kellogg, LeLacheur, Macomber, Moser, Parker, Paulk, Peet, Quinn, Rees, Riddle, Robinson, Rosenkrans, Robb, Sabin, Streeter, Tompkins, Williamson of Louisa, Withrow, Witter, and Mr. Speaker—41.

The nays were—Messrs. Barnes, Bemis, Bereman, Bowdoin, Caldwell, Crawford, Doggett, Hotchkiss, McCullough of Jackson, Millard, Morehead, Price of Muscatine, Ruddick, Stanton, Stevens—15.

Absent or not voting—Bennett, Blackford, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dunlavey, Ellis, Glasgow, Gniffke, Gurley, Hedges, Hoag, Hunt, Lambert, Lynch, Mangold, McQuinn, McCullough of Lee, Reed, Shipman, Taylor, Whitaker, Williams, Williamson of Warren, Wright.

The bill was lost.

Committee on enrolled bills, ask leave to report that they have handed to the Governor for his signature, the following bills, numbered house files 228, 290, 298, 355, 230, 151, 358, 352, 347, 388, 371, and the following joint resolutions, numbered, 368, 385, 383, 386, 99, and 311.

Also, that they have examined the following bills, numbered 325, 377, 353, 253, 372, 237, 344, and find the same correctly enrolled.

J. W. DENNISON, Chairman.

Mr. Gurley, by leave, introduced house file number 402, a bill for an act to provide for the election of members of Congress, which was read a first and second time, when Mr. Kellogg moved to indefinitely postpone the bill. Lost.

The bill was passed on file.

House file number 324, an act in relation to estrays and watercrafts found adrift, was taken up, and the question being on the amendments made in the senate, Mr. Rosenkrans moved that the house do not concur. Carried.

Senate file number 127, a bill for an act to require county Judges to levy taxes on certain lands, &c., was taken up and indefinitely postponed.

House file number 288, a bill for an act to provide for the election of township collector and define his powers and duties, was taken up.

Mr. Stanton moved to indefinitely postpone the bill. Lost.

Mr. Paulk moved to lay the bill on the table. Lost.

The rule was then suspended, the bill read a third time, and on the question, shall the bill pass, the yeas and nays were as follows:

The yeas were Messrs. Baker, Beal, Bemis, Bowdoin, Bremner, Crawford, Ellis, Gillett, Gniffke, Gue, Jennings, Jones, Lambert, LeLacheur, McCullough of Jackson, McQuinn, Morehead, Parker, Paulk, Peet, Reed, Riddle, Rosenkrans, Ruddick, Sabin, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Withrow, Witter—34.

The nays were—Messrs. Barnes, Bereman, Bracewell, Blackford, Caldwell, Clark of Jefferson, Clark of Des Moines, Conner, Cottell, Cowing, Doggett, Davis of Jasper, Dennison, Goodrell, Hall, Haskell, Harris, Hoag, Hotchkiss, Kellogg, McQuinn, Millard, Moser, Price of Muscatine, Quinn, Rees, Robinson, Robb, Shipman, Stanton, Williamson of Warren, and Mr. Speaker—31.

Absent or not voting—Bennett, Campbell, Clark of Johnson, Claggett, Curtis, Darling, Davis of Johnson, Dunlavey, Glasgow, Gurley, Hedges, Hunt, Lynch, Macomber, Mangold, Mitchell, McCullough of Lee, Merrill, Noble, Price of Lee, Whitaker and Wright.

The bill did not pass, for want of a constitutional majority.

Message from the Senate:

Mr. SPEAKER:—I am directed to inform the House that the Senate has passed house file number 315, without amendment.

I also return house file number 393, sent as a substitute for senate file number 164, the senate having refused to accept the same.

J. H. SANDERS, Sec'y of Senate.

House file number 393, a bill for an act to abolish the salary of the clerk of the District Court, and to compensate him for his services by fees, was taken up, and the question being on concurring in the amendments made in the Senate thereto, the House refused to concur, and asked for a committee of conference.

The chair appointed Messrs. Kellogg, Paulk and Harris as such committee on the part of the House.

Substitute for house files numbers 275 and 294, an act to amend an act creating a county board of supervisors, was taken up and read a second time, when Mr. Williams offered a substitute; pending which, Mr. Gurley moved to adjourn till one o'clock, A. M. Carried.

1 O'CLOCK, A. M.

House met pursuant to adjournment.

Mr. Witter, by leave, offered the following resolution:

Resolved, That the chief clerk, assistant clerks, enrolling and engrossing clerks, together with all subordinate officers of the house, shall receive the same compensation as the officers of the senate.

Which was adopted.

Mr. Caldwell moved to increase the compensation of the chief clerk so that he shall receive \$6 per day. Carried.

Message from the Senate:

MR. SPEAKER:—I herewith return the following bills, the Senate having refused to pass the same: house files numbers 304, 357, 334 and 324.

I also return the following bills, they having passed the Senate without amendment: house files 270, 389 and 396.

I am directed to inform the House that the Senate has passed senate file number 236, in which the concurrence of the house is asked.

J. H. SANDERS, Sec'y of Senate.

Mr. Hall, by leave, introduced the following resolution:

Resolved, That the Secretary of State be and is hereby directed to deliver to the reporters of the Iowa State Journal and Iowa State Register, each one copy of the same reports and documents ordered to be delivered to the members of this House, if the same shall be in the possession of the State.

Which was adopted.

The unfinished business being substitute for house files numbers 275 and 294, Mr. Williams offered a substitute, which was adopted, and read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bracewell, Blackford, Bremner, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Dennison, Ellis, Gillett, Goodrell, Gue, Hall, Haskell, Harris, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Parker, Peet, Reed, Rees, Riddle, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—47.

The nays were—None.

Absent or not voting—Barnes, Bereman, Bowdoin, Bennett, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Darling, Davis of Johnson, Dunlavey, Glasgow, Gniffke, Gurley, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Paulk, Price of Lee, Price of Muscatine, Quinn, Robb, Whitaker and Wright.

The bill was passed, and the title agreed to.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following resolution in which the concur-

rence of the House is asked :

Resolved, (The house concurring,) That a joint committee be appointed to specify what matter shall be printed the Journals of the Senate and House of Representatives; the committee shall consist of four members on the part of the House, and three on the part of the Senate, and that Messrs. Neal, Anderson and McPherson have been appointed on the part of the Senate.

J. H. SANDERS, Sec'y of Senate.

The question being on the adoption of the concurrent resolution, it was adopted, and Messrs. Goodrell, Parker, Hall and Beal were appointed committee on part of the House.

Substitute for senate file number 194, a bill for an act to amend an act passed by the Board of Education, was taken up and read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were ordered, and were as follows :

The yeas were—Messrs. Baker, Bemis, Bereman, Bracewell, Blackford, Bremner, Campbell, Clark of Des Moines, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Gillett, Glasgow, Gniffke, Gue, Gurley, Haskall, Harris, Kellogg, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Parker, Paulk, Peet, Quinn, Reed, Rees, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Williams, Witter—44.

The nays were—Messrs. Clark of Jefferson, Conner, Ellis, Goodrell, Price of Muscatine, Williamson of Louisa, Williamson of Warren—7.

Absent or not voting—Messrs. Beal, Barnes, Bowdoin, Bennett, Caldwell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Hall, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Price of Lee, Riddle, Robinson, Robb, Tompkins, Whitaker, Withrow, Wright, and Mr. Speaker.

The bill was passed and the title agreed to.

Message from the Senate :

MR. SPEAKER:—I herewith return house file number 397, an act to repeal sections 50, 51 and 52, of chapter 152, acts of seventh General Assembly, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y Senate.

ENROLLED BILLS.

Committee on enrolled bills ask leave to report that they have examined the following bills and find the same correctly enrolled, viz: House files numbers 398 and 369.

J. W. DENNISON, Chairman.

Message from the Senate.

MR. SPEAKER:—I herewith return house file number 300, an act in relation to persons insane, and providing for the relinquishment of dower of married women who are insane; passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

Mr. Clark, of Jefferson, by leave, offered the following resolution:

Resolved, That the clerks and other officers of this house shall receive for their compensation only such sums as were specified in a resolution adopted at the beginning of this session.

Which the chair declared out of order, from which decision Mr. Clark, of Jefferson, took an appeal, and demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bremner, Clark of Des Moines, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Goodrell, Gue, Hall, Harris, McCullough of Jackson, Millard, Parker, Peet, Price of Muscatine, Quinn, Rees, Riddle, Robinson, Ruddick, Sabin, Stevens, Streeter, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr Speaker—30.

The nays were—Messrs. Bereman, Blackford, Bremner, Caldwell, Clark of Jefferson, Conner, Cottell, Haskall, Macomber, McQuinn, Morehead, Reed, Rosenkrans, Stanton—13.

Absent or not voting—Messrs. Barnes, Bowdoin, Bracewell, Bennett, Campbell, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Ellis, Gillett, Glasgow, Gniffke, Gurley, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, Lambert, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Paulk, Price of Lee, Rees, Robb, Shipman, Stanton, Taylor, Tompkins, Whitaker, Williams, Wright.

The decision of the chair was sustained.

Mr. Bereman, by leave, offered the following resolution:

Resolved, That there be published one thousand volumes of the Journal of the Senate, and fifteen hundred of the Journal of the House, and they shall not include any of the reports, messages and documents already published.

It was moved to amend by striking out all after 'House,' in the fourth line. Carried.

And the resolution, as amended, was adopted.

Mr. Stevens moved to reconsider the vote taken on the resolution to pay clerks, &c.

Mr. Gue moved to lay the motion on the table.

Mr. Rosenkrans demanded the yeas and nays, which were as follows:

The yeas were—Messrs. Baker, Beal, Bemis, Bowdoin, Bremner, Clark of Des Moines, Crawford, Curtis, Ellis, Goodrell, Gue, Hall, Harris, Parker, Quinn, Robinson, Shipman, Streeter, Witter, and Mr. Speaker—22.

The nays were—Messrs. Bereman, Bracewell, Blackford, Caldwell, Campbell, Clark of Jefferson, Conner, Cottell, Cowing, Doggett, Davis of Jasper, Gillett, Glasgow, Gniffke, Haskell, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Paulk, Peet, Reed, Rees, Riddle, Rosenkrans, Ruddick, Sabin, Stanton, Stevens, Williams, Williamson of Louisa, Williamson of Warren, Wright—33.

Absent or not voting—Messrs. Barnes, Bennett, Clark of Johnson, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Gurley, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, Kellogg, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Price of Lee, Robb, Taylor, Tompkins, Whitaker, Withrow.

The motion was lost.

Mr. Curtis, by leave, offered the following resolution:

Resolved, That the magnificent collation, and fine social entertainment with which the ladies of Des Moines have favored us this evening, entitles them to the lasting gratitude and most distinguished consideration of every member of this General Assembly.

Which was adopted.

Mr. Millard, by leave, offered the following resolution:

Resolved, That the Secretary of State be directed to furnish the capital correspondent of the Burlington Hawkeye, L. D. Ingersoll, with such copies of the Supreme Court Reports as have been furnished to the members of the House, providing such reports be in his possession, and undisposed of.

Which was laid on the table.

Senate file number 236, a bill for an act in relation to State Binding, was taken up and read a second time, when Mr. Caldwell offered the following amendment:

Sec. 3. The session laws of the General Assembly shall hereafter be bound in boards, with cloth backs, for which the State Binder shall receive the sum of fifteen cents per copy. Carried.

The bill was then read a third time, and on the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Bemis, Bereman, Bowdoin, Bracewell, Bremner, Caldwell, Clark of Jefferson, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Ellis, Gillett, Glasgow, Gniffke, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Lambert, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Parker, Paulk, Peet, Quinn, Reed, Rees, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Williamson of Louisa, Witter, Wright—49.

The nays were—Messrs. Beal, Blackford, Kellogg, Price of Muscatine—4.

Absent or not voting—Messrs. Barnes, Bennett, Campbell, Clark of Johnson, Clark of Des Moines, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Hedges, Hoag, Hotchkiss, Hunt, Jen-

nings, Jones, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Price of Lee, Riddle, Robb, Tompkins, Whitaker, Williams, Williamson of Warren, Withrow, and Mr. Speaker.

The bill was passed and the title agreed to.

House file number 261, an act in relation to recording chattel mortgages, was read a second time, when Mr. Bremner moved to indefinitely postpone the bill. Lost.

Mr. Bremner moved to lay the bill on the table. Carried.

Substitute for house file number 294, an act to amend an act creating a county board of supervisors, was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Bereman, Bracewell, Blackford, Bremner, Campbell, Conner, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Ellis, Gillett, Goodrell, Gue, Gurley, Hall, Haskall, Harris, Macomber, McCullough of Jackson, McQuinn, Millard, Morehead, Parker, Quinn, Reed, Riddle, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Withrow, Witter, and Mr. Speaker—44.

The nays were—Messrs. Bemis, Clark of Des Moines, Cottell, Rees, Robinson—5.

Absent or not voting—Messrs. Barnes, Bowdoin, Bennett, Caldwell, Clark of Johnson, Clark of Jefferson, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Glasgow, Gniffke, Hedges, Hoag, Hunt, Hotchkiss, Jennings, Jones, Kellogg, Lambert, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Paulk, Peet, Price of Lee, Price of Muscatine, Robb, Stevens, Whitaker, Wright.

The bill passed and the title was agreed to.

The committee on enrolled bills ask leave to report that they have examined house files numbers 335, 238, 396, 69, 400 and 315 and find the same correctly enrolled.

Also, that they have handed to the Governor for his signature the following bills, to wit: Numbers 398 and 369.

J. W. DENNISON, Chairman.

House file number 206, a bill for an act to exempt the homestead from taxation for State and county purposes, was taken up and indefinitely postponed.

House file number 402, a bill for an act providing for the election of members of the House of Representatives of the Congress of the United States, was read a second time, the rule suspended, the bill read a third time, and upon the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—Messrs. Baker, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Des Moines, Cottell, Cowing, Crawford, Davis of Jasper, Gillett, Glasgow, Goodrell,

Gue, Gurley, Hall, Haskell, Kellogg, Lambert, Macomber, McQuinn, Millard, Morehead, Parker, Paulk, Price of Muscatine, Quinn, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Streeter, Williamson of Louisa, Williamson of Warren, Witter, and Mr. Speaker—41.

The nays were—Messrs. Beal, Caldwell, Conner, Curtis, Doggett, Gniffke, McCullough of Jackson, Peet, Reed, Rees, Stevens, Taylor, Williams—14.

Absent or not voting—Messrs. Bowdoin, Bennett, Clark of Johnson, Clark of Jefferson, Claggett, Darling, Davis of Johnson, Denison, Dunlavey, Ellis, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Mangold, McCullough of Lee, Mitchell, Merrill, Moser, Noble, Peet, Price of Lee, Riddle, Robb, Tompkins, Whitaker, Withrow, and Wright.

The bill was lost, for want of a constitutional majority.

Mr. Bereman moved that we take no more bills from the file. Carried.

Mr. Bremner moved that when this house adjourns, it be till 9 o'clock to-morrow morning. Carried.

Mr. Williamson, by leave, offered the following resolution:

Resolved, That the Secretary of State be instructed to furnish Z. Washburn, (the superintendent of the committee rooms) with books, stationery, &c., the same as the Sergeant-at-Arms receives, excepting the law reports.

Which was laid on the table.

Mr. Clark, of Des Moines, by leave, offered the following resolution:

Resolved, That the thanks of this house be tendered to our Speaker *pro tem*, for the impartial and able manner he has discharged the duties of that office.

Which was unanimously adopted.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has refused to concur in the house amendments to senate file number 236, an act in relation to State binding.

J. H. SANDERS, Sec'y of Senate.

Mr. Rosenkrans moved that the house recede from its amendments to the bill. Lost.

The chair appointed as committee of conference, Messrs. Caldwell, Hall, and Taylor.

Message from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has passed senate file number 175, in which the concurrence of the House is asked.

J. H. SANDERS, Sec'y of Senate.

The bill was taken up, read a first and second time, when Mr. Hall moved to indefinitely postpone the bill. Carried.

Message from the Senate.

MR. SPEAKER:—I herewith return house file number 393, the Senate having passed the same as amended by the committee of conference.

I also present for your signature, the following bills, the same having passed both branches of the General Assembly and been duly enrolled by the Senate: Senate files numbers 165, 217, 194, 222, 177 and 167.

J. H. SANDERS, Sec'y of Senate.

House file number 393 was taken up, and the question being on concurring in the amendments made thereto by the committee of conference, the yeas and nays were as follows:

The yeas were—Messrs. Baker, Beal, Barnes, Bemis, Bereman, Bracewell, Blackford, Bremner, Caldwell, Clark of Des Moines, Conner, Cottell, Cowing, Crawford, Curtis, Doggett, Davis of Jasper, Ellis, Glasgow, Goodrell, Gue, Gurley, Hall, Haskell, Harris, Kellogg, Lambert, Macomber, McCullough of Jackson, Millard, Mitchell, Morehead, Parker, Paulk, Peet, Price of Muscatine, Quinn, Reed, Rees, Robinson, Rosenkrans, Ruddick, Sabin, Shipman, Stanton, Stevens, Streeter, Taylor, Tompkins, Williams, Williamson of Louisa, Williamson of Warren, Witter, and Wright.
—54.

The nays were—None.

Absent or not voting—Messrs. Bowdoin, Bennett, Campbell, Clark of Johnson, Clark of Jefferson, Claggett, Darling, Davis of Johnson, Dennison, Dunlavey, Gillett, Gniffke, Hedges, Hoag, Hotchkiss, Hunt, Jennings, Jones, LeLacheur, Lynch, Mangold, McCullough of Lee, McQuinn, Merrill, Moser, Noble, Price of Lee, Riddle, Robb, Whitaker, Withrow, Mr. Speaker

The amendments were lost.

On motion of Mr. Kellogg, the house took a recess till eight o'clock.

8 O'CLOCK, A. M.

House met pursuant to adjournment.

Prayer by Rev. S. S. Howe.

Mr. Baker moved that a committee of five be appointed to wait on the Governor and announce to him that the house has finished up their business.

The chair appointed Messrs. Baker, Quinn, Williams, Robb and Lambert, as such committee.

Mr. Robb moved that a committee of two be appointed to inform the Senate that the House has finished their business.

The chair appointed Messrs. Robb and Ruddick, as such committee.

Message from the Senate.

MR. SPEAKER:—I herewith present for your signature senate file number 236, the same having passed both branches of the General Assembly and been duly enrolled by the Senate.

I herewith return house files 275 and 399, the same having passed the Senate without amendment.

J. H. SANDERS, Sec'y of Senate.

Mr. Gue, by leave, offered the following resolution:

Resolved, That the thanks of the members of the House are cordially given to Stephen Sibley, J. W. Bartlett, and J. A. Stickney, the courteous and able reporters of the Register and Journal, for the satisfactory manner in which they have reported the proceedings of the House.

Which was adopted.

Mr. Baker, from the committee to wait on the Governor, reported that they had discharged that duty, and that His Excellency had no further communication to send to this House. Which report was received.

Mr. Robb, from the committee to wait upon the Senate and enquire whether they had any further communications to report, reported that they had discharged that duty.

Mr. Withrow, by leave, offered the following resolution:

Resolved, That the thanks of this House is due to all the officers of this House for their strict attention to the duties of their several stations.

Which was adopted.

The committee on enrolled bills, beg leave to report that they have examined house files numbers 336, 397 and 300, and find the same correctly enrolled.

Also, that they have presented to the Governor for his signature, house files 396, 389, 270, 400, 335, 336, 300, 397, 238, 275, 399, 393, and substitute for senate file 164, and find the same correctly enrolled.

J. W. DENNISON,
J. E. WILLIAMSON,

Mr. Curtis, by leave, offered the following resolution:

Resolved, By this House, (the Senate concurring,) That the Secretary of State be instructed to take charge of and distribute equally among the members of this General Assembly, any and all documents ordered printed by either House and not already distributed, forwarding them by mail to the respective members.

Which was adopted.

Mr. Goodrell, by leave, offered the following resolution:

Resolved, (the Senate concurring,) That the State Printer be directed not to print anything in the Journals except the messages of the Governors and Legislative proceedings, not including the reports of State officers and the reports of the joint committees to investigate the affairs of the Hospital for the Insane and the State Penitentiary. Adopted.

Message from the Senate.

MR. SPEAKER:—I am directed to inform the House that the Senate has agreed to the concurrent resolutions of the House.

J. H. SANDERS, Sec'y of Senate.

The committee on enrolled bills ask leave to report that they have handed the following bills to the Governor for his signature, viz: house files 393, 325, 377, 353, 253, 372, 237, 344.

J. W. DENNISON, Chairman.

Mr. Baker moved that the Chief Clerk inform the Senate that the House is now ready to adjourn *sine die*.

The Chief Clerk having returned, Mr. Taylor moved that this House do now adjourn *sine die*.

Before announcing the vote, the Speaker said:

Gentlemen of the House of Representatives:

I feel that this is one of the happiest moments of my life. The words which I might control would fail to convey to you the earnest feelings of gratitude which fill my heart when I think of the flattering sentiment contained in the resolution which you have adopted with so much unanimity.

The position in which I have been placed by the kind confidence of my friends, is of a delicate and responsible character.—In the outset I begged of you to extend toward me your kind indulgence and your faithful co-operation in sustaining those rules which are necessary to the dignified conduct of a legislative assembly. I was not mistaken in thinking that you would do so; and for your many acts of kindness toward me, and your faithful co-operation in, at all times enforcing the rules, I return you my most hearty thanks, and if at any time, in enforcing the rules of this House—and where is there an assemblage like this which can go through the storms of many debates without occasional harsh expressions?—If at any time I say, I have done injustice to any member, or if in the heat of debate, I have said a word which has wounded the feelings of any one, I am entirely unconscious of any such intent. It does afford me the greatest pleasure in bearing testimony to this House, and to the individual members thereof, for their uniform courtesy and kindness to the chair even during the most exciting and trying hours of our deliberations.—It is also gratifying to my feelings to bear evidence in behalf of your untiring industry and application to business, the legitimate results of which has been the enactment of laws well calculated to promote the honor, welfare and happiness of our much beloved State.

You have also seen proper to present me the chair I have had the honor to occupy, as your presiding officer. I accept it, and shall ever regard it as a 'hallowed memento of by-gone times, and shall leave it as a rich heir-loom to my children, directing them to look upon it with recollections of gratitude to the lower branch of the Eighth General Assembly of Iowa.

Gentlemen, we met here as comparative strangers—we shall part, I trust, as friends. As we retire from the scene of our deliberations, our labors, and our conflicts, it would be but the performance of a duty on my part—even had you not expressed so much kindness toward me—to express for you the heartiest benedictions—to wish for each and every one of you the fullest cups of happiness, and the choicest blessings of Heaven. Whether, therefore, we shall have the pleasure of meeting again in this Hall, or shall now part for the last time, let me sincerely pray that God may bless you all.

I now pronounce this House adjourned *sine die*.

ATTEST:

CHARLES ALDRICH,
Clerk of the House of Representatives.

INDEX.

Agricultural College, 32, 244, 245, 300, 406.

Asylum—

Blind, 63, 306, 309, 452, 454, 457.

Insane, 31, 85, 231, 242, 260, 262, 378, 396, 446, 452, 456,
503, 526, 527, 528, 542, 560, 564.

Deaf and Dumb, 32, 101, 226, 129, 112, 154, 166, 328, 359,
415, 441, 451, 515.

Auditor's Office, 44.

Report, additional copies, 93, 131, 223.

Communications, 111.

Adultery, 259, 418.

Appraisement, See house files 8, 27, 150.

Banks, 33, 117, 316, 317.

Board of Education, 18.

Census 1859, 15, 96.

Capitol Building, 38.

College Agricultural, 32.

Committee—

On credentials, 3, 4.

To inform Senate and Governor of House Organization, 13.

To inform Senate that House was ready to go into Joint
Convention to canvass votes, 48.

To inform Senate that the House was ready to proceed with
the inauguration, 51.

To inform Governor and Lient Governor elect, that Joint
Convention was ready to proceed with Inauguration, 51

To invite Supreme Court and State officers to be present at
the Inauguration, 51.

Select, on State Printing and Binding, 97, 286, 299, 62, 78,
79, 122, 173.

Standing, and on Capitol building, 62, 158.

To prepare rules for House, 65.

To inform Senate that House was ready to go into Joint
Convention to elect U. S. Senator, 80.

On Constitutional amendments, 103, 120, 121, 125, 126, 191

On Printing, 103, 105, 106, 122, 125.

To apportion the State, 103.

On Claims, 107, 123, 127, 177, 306, 338, 341, 436, 559.

Committee—

On Des Moines River Improvement, 226.

Code Amendments, 254, 288, 384, 427, 428, 435, 439.

Code of Civil Practice, 175, 181, 287, 231, 227, 302, 421, 426, 428, 431, 432.

Communications,

From Governor, 184, 225, 529.

do F. M. Mills, 184.

do John Teesdale, 184.

do J. L. Corse & Sons, Booksellers, 316.

do Henry P. Scholte, 358, 481.

do J. S. Whicher, 77.

do Sec'y of Agricultural Society, 109.

do Auditor of State College and Farm, 222.

do Wm. Lee to do State Binding, 113.

do Sec'y of State, 130, 131, 135, 184, 197, 284, 496.

do Stilson Hutchins to do State Printing, 138.

do Sec'y of Board of Education, 159, 407, 487, 488.

do Ladies of Des Moines, 628.

Courts—

In 2d District, 198, 209, 215, 228.

In 7th do 77, 151, 158, 178.

In 5th do 239.

In 11th do 76, 89, 94, 108, 128, 433, 441, 490, 515.

In 3d do 213, 215, 220, 239.

In 4th do 67, 78, 88, 92, 103, 128.

In 10th do 393, 406, 503, 512.

Compensation of Officers of House, 6, 13.

Codification and revision of Laws, 40.

Costs, Security for, See house files 40, 161.

Des Moines River Grant, 22.

Election—

Speaker pro tem, 3.

Clerk pro tem, 3.

Clerk, assistant, 3.

Sergeant-at-arms pro tem, 3.

Fireman pro tem, 3.

Doorkeeper pro tem, 3.

Speaker, 6.

Clerk, 7.

do 1st assistant, 7.

do 2d assistant, 7.

do Engrossing, 8.

do Enrolling, 9.

Sergeant-at-arms, 8.

Fireman, 9, 10.

Election—

Doorkeeper, 10.

Messenger, 11,

2d Messenger, 12.

Paper Folder, 12.

Assistant paper folder, 72.

Post Master, 48, 72, 84, 91, 94, 101, 103, 105.

Expenditures, 16.

Education Board, 18.

Eads, Jas. D., Superintendent &c., 39, 93, 149, 180, 570, 634.

Executive Office, 45.

Enrolled Bills, 148.

Five Per Cent Fund, 19.

Frontier Difficulties, 35.

Grant—

500,000 acre, 22.

Des Moines River, 22.

Geological Survey, 39, 400.

Homestead—See house files 92, 96, 206.

Highways, 102, 423, 493, 518.

Historical Society, 35.

House Files—

No. 1. A bill for an act to amend chapter 150 of the acts of 7th General Assembly, 67, 99, 113, 115, 121, 131, 149, 153.

2. A bill for an act fixing times of holding courts in 4th judicial district, 67, 78, 88, 92, 103, 128.

3. A bill for an act to amend section 2, of chapter 155, of acts of 7th General Assembly, 67, 102, 108, 118, 328, 344, 359, 379.

4. A bill for an act to make bank notes a legal tender for the payment of State revenue, 67, 193, 207.

5. A bill for an act to authorize the payment of tax and interest on school fund in bills of State Bank of Iowa, 75, 193, 207.

6. A bill for an act to authorize Paul O. Jeffries to transcribe and index records of Wapello county, 76, 127, 136, 123, 168, 358, 398, 484.

7. A bill for an act to amend section 3, of chapter 93, laws of 1853, fees in justice's court, 76, 87.

8. A bill to provide for appraisement of real and personal property, 76, 217, 271, 284.

9. A bill for an act for uniform mode of sub-dividing and fixing method thereof, 76, 484.

10. A bill for an act providing for Auditors, 76, 479.

House Files—

- No. 11. A bill for an act fixing times of holding courts in 11th judicial district, 76, 89, 94, 108, 128.
12. A bill for an act to repeal part of section 4, chapter 148, laws of 7th General Assembly, 76, 84, 115, 118, 127, 134, 148.
13. A bill for an act to amend chapter 157, of laws 7th General Assembly, 76, 134, 156, 161, 172, 260.
14. A bill for an act to amend chapter 62, laws 7th General Assembly, bounty on animals, 76, 108, 133, 153, 160, 215, 219.
15. A bill for an act to regulate time of keeping open county offices, 77, 88.
16. A bill for an act fixing time holding courts in 7th judicial district, 77, 107.
17. A bill for an act fixing time holding courts in 7th judicial district, Muscatine, 77, 107, 151, 158, 178.
18. A bill for an act to repeal chap. 147, laws 1858, 88.
19. A bill for an act to protect game, 88, 234.
20. A bill for an act in relation to judgment liens, 88, 177, 194, 233.
21. A bill for an act to repeal chap. 79 Code, 88, 177, 194.
22. A bill for an act relating to interest on delinquent taxes, 89, 154, 165, 174, 192.
23. A bill for an act relating to surveys of land, 89, 258, 364, 371.
24. A bill for an act to amend section 22, chapter 154, acts 7th General Assembly, 89.
25. A bill for an act to amend revenue law 7th General Assembly, 89.
26. A bill for election of district attorneys, 89, 108.
27. A bill for appraisem't of real estate, 90, 217, 271, 284.
28. A bill to legalize acts George C. Dow, Notary Public, 90, 127, 155, 165, 172, 208, 215, 219.
29. A bill to regulate interest on money, 90, 329, 506.
30. A bill to legalize election of President and town council of Chariton, 90, 182, 194, 206, 469, 490, 415.
31. An act relating to incest, 90, 303, 314, 321, 373, 469, 490, 516.
32. A bill for an act relating to unorganized counties, 90, 116, 128, 165, 171, 192.
33. A bill for an act relating to organization of counties, 90, 115, 119, 140, 212, 232.
34. An act to exempt 40 acres land from taxation, 90, 116, 134, 165, 170, 262.
35. A bill for an act for redemption of real and personal property sold on execution, 90, 193, 236, 237, 240, 393, 409, 416, 619, 640.

House Files—

- No. 36. A bill for an act defining amount of toll for grinding grain, 91, 128.
37. A bill for an act requiring list of voters to be taken and posted up before election, 100.
38. A bill to amend section 20, act authorising general banking law, 100, 258, 268, 278, 281, 523.
39. A bill providing for payment of members, 100, 196, 219, 227.
40. A bill requiring private prosecutors to give security for costs, 101, 108.
41. An act relating to foreclosure of mortgages on real property, 101, 199.
42. A bill for an act to amend section 75, chapter 152, acts 7th General Assembly, 101.
43. A bill in relation to revenue, 101, 193, 208.
44. A bill to amend an act passed at 5th General Assembly, relating to swamp lands, 101, 300, 484.
45. A bill for management of school funds, 101, 277.
46. A bill to amend section 16, chapter 158, laws 1858, in relation to school lands, 101, 149, 196, 341, 369.
47. A bill for transfer of title to real estate, 102.
48. A bill to amend section 16, chapter 154, acts 1858, relating to township trustees, 102, 182, 250, 342, 517.
49. A bill to amend chapter 154, laws 1858, 102, 250.
50. A bill to amend act relating to highways, 102, 423, 493, 518.
51. A bill allowing bounty for killing black birds, 102, 153, 160, 215, 219, 334, 601.
52. A bill to change time of holding courts in 8th judicial district, 102, 123, 140, 152, 158, 526.
53. A bill making appropriations to meet expenses of Deaf and Dumb Asylum, 102, 129, 154, 166, 328, 359, 415, 441, 451, 515.
54. A bill for an act to amend section 37, chapter 152, act 1858, relating to tax books, 102, 176, 194, 229, 233.
55. A bill for an act relating to sales on execution, 108.
56. A bill for an act relating to publishing laws, 109.
57. A bill for an act to repeal section 6, chapter 93, acts 7th General Assembly, 109, 134, 154, 168, 260, 282, 327, 358.
58. A bill for an act to amend chapter 171, acts of 7th General Assembly, 109, 188, 254.

House Files—

59. A bill for an act regulating pay of jurors, 109, 124, 188, 254.
60. A bill for an act to pay Major Williams and others, 109, 127, 165, 171, 876, 398.
61. A bill for an act to amend an act relating to revenue, 109.
62. A bill for an act to amend section 251, chapter 25, Code, 109, 128.
63. A bill for an act to amend revenue law 7th General Assembly, 109, 176, 194, 233.
64. A bill for an act restricting County Judges, 109, 123.
65. A bill for an act to guard Grand Juries, 109, 123, 229, 314.
66. A bill for an act in regard to navigation Little Sioux River, 116, 128, 169, 228, 235.
67. A bill for an act to annex O'Brien county to Cherokee, 116.
68. A bill for an act to secure the collection taxes 1858, 117.
69. A bill for an act relating to State Bank of Iowa, 117, 258, 331.
70. A bill for an act pre-empting swamp land, 117, 484.
71. A bill for an act regulating pay of Jurors, 117, 188, 254.
72. A bill for an act to amend chapter 151, acts 7th General Assembly, 117.
73. A bill for an act repealing chapter 151, acts 7th General Assembly, 117, 135, 153, 177, 371.
74. A bill for an act for relief Marshall county, 117, 129, 153, 166, 229, 479.
75. A bill for an act for collection debts less than \$100, 117.
76. A bill for an act relating to estrays, 117, 482.
77. A bill for an act repealing chapter 19, acts 6th General Assembly, 117, 124, 188.
78. A bill for an act relating to witness fees, 117.
79. A bill for an act making appropriations for furniture and capital buildings, 123, 128, 152, 193, 198.
80. A bill for an act to punish maker of chattel mortgages, 130, 135, 423, 442, 450.
81. A bill for an act change venue in criminal cases, 130, 136, 154, 168, 215, 219.
82. A bill for an act to fix time laws published take effect, 130, 153, 381.

House Files—

83. A bill for an act to amend Chapter 15, Code Iowa, 130.
84. A bill for an act to restrain issue of Co. bonds, 130, 156, 169, 439, 571, 603, 619.
85. A bill for an act relating to testimony, 130, 133, 154, 171.
86. A bill for an act to give greater security vendees of mortgagees of real estate, 130, 133, 153, 167, 284.
87. A bill for an act to prevent larceny of personal property taken on legal proceedings, 130, 291, 292, 304, 375, 478, 516.
88. A bill for an act to amend act 11, Education laws Iowa, 130, 270, 286, 304.
89. A bill for an act relating to Recorder's office, Keokuk, 130.
90. A bill for an act relating to Clerks of District Court, 130.
91. A bill for an act to amend section 10 of 5th Art. of Constitution, 160, 166, 172.
92. A bill for an act relative to passage of Homestead bill, 154, 167.
93. A bill for publication of laws relative to township officers, 264.
94. A bill for an act to amend chapter 72, acts 7th General Assembly, 166, 171, 237, 239, 252, 292, 302, 311, 313.
95. A bill for an act to repeal chapter 83 of Code, 155.
96. A bill for an act to exempt Homesteads from taxation, 177, 207.
97. A bill for an act to repeal section 2705, chapter 145, Code, 154, 161, 208, 211.
98. Joint resolution that Governor withhold certificates of land to railroad, 153.
99. Memorial for grant of land for Railroad, 238, 271, 160, 523, 640, 654.
100. A bill for an act to amend section 530 of Code, 156, 228, 328, 344, 359.
101. A bill for an act relating to stealing and slaughtering cattle, 156, 229.
102. A bill for an act defining duties of Sheriff's Cl'ks in relation to writs of attachment and execution, 156, 194, 199.
103. A bill for an act to tax dogs and protect sheep, 157, 411, 473.
104. A bill for an act for the preservation of sheep, 157, 411, 473.

House Files—

- No. 105. A bill for an act to repeal liquor laws, 157, 284.
- 106. A bill for an act to amend section 940 of Code, 157, 257, 264, 268, 398, 418, 441.
- 107. A bill for an act to amend section 1706, chapter 102, Code, 157, 328, 517.
- 108. A bill for an act to repeal chapter 193 of laws of 6th General Assembly, 157, 257, 264.
- 109. A bill for an act to amend section 1621 of Code, 157.
- 110. A bill for an act for the relief of Ohas. Morrow, 157, 483, 503.
- 111. A bill for an act to amend chap. 15 of Code, 158.
- 112. A bill for an act relating to Iowa Central Rail Road, 158, 219, 235, 418, 442, 450.
- 113. A bill for an act for re-organization of counties and township, 162, 211, 261, 280, 283, 466, 450, 430, 428, 383, 361, 285, 293, 306, 308, 311, 345.
- 114. A bill for an act to regulate fees of Grand and Petit Jurors, 162.
- 116. A bill for an act relating to Trust deeds, 182, 249.
- 117. A bill for an act to pay reward Governor, 182, 194, 200, 208, 342, 369, 686.
- 118. A bill for an act relating to levee on Muscatine Island, 182, 218, 399.
- 119. A bill for an act to amend section 52 of Code, 182.
- 120. A bill for an act to amend sections 10 & 11, chap. 102, acts 7th Gen. Assembly, 182, 258, 481.
- 121. A bill for an act to repeal section 1, chapter 112, laws 1852-3, 182.
- 122. A bill for an act to repeal chap. 10, acts 7th Gen. Assembly, 182, 371.
- 123. A bill for an act relating to Co. Treasurers and Deputies, 182, 516.
- 124. A bill for an act relating to practice in Supreme Court, 183, 287.
- 125. A bill for an act to repeal chap. 240, acts 6th Gen. Assembly, 183.
- 126. A bill for an act to regulate changing Co. Seats, 183, 250, 281, 437, 628.
- 127. A bill for an act to amend section 2536 of Code, 183, 315.
- 128. A bill for an act to repeal chap. 101, acts 7th Gen. Assembly, 183, 258, 264.
- 129. A bill for an act relating to Constables' bonds, 183.
- 130. A bill for an act relating to Keokuk, Fort Des Moines and Minnesota R. R. Co., 183, 257.

House Files—

- No. 131. A bill for an act relating to State Printing, 188.
133. A bill for an act to prevent taking usurious interest, 191, 480.
134. A bill for an act defining duties of Notaries Public, 191 252, 314.
135. A bill for an act to establish Court of Quarter Session, 191, 279, 389, 415, 449, 457.
136. A bill for an act to amend section 1472 of Code, 191.
137. A bill for an act to amend chap. 31, acts 4th Gen. Assembly, 195, 260, 279, 382.
138. A bill for an act relating to trial in criminal cases, 195, 486, 493.
139. A bill for an act legalizing official acts of city of Clinton, 195, 250, 251, 469, 493.
140. A bill for an act to prevent County Judges from allowing money for clerk hire, 195, 252, 279, 314, 378.
141. A bill for an act legalizing acts County Judge of Scott county, 196, 252, 304, 305, 477, 516, 604.
142. A bill for an act to amend chap. 46, acts 5th Gen. Assembly, 196, 218, 233.
143. A bill for an act for relief of tax payers, 196, 341, 369, 392.
144. A bill for an act to pay taxes at Capital of State, 196, 514, 598.
145. A bill for an act to repeal section 1, chap. 152, 7th General Assembly, 197, 342, 369
146. A bill for an act to amend act of Board of Education, 197, 219, 233.
148. A bill for an act to purchase and distribute Dillon's Digest, 205, 252, 268, 269, 317, 319, 454.
149. A bill for an act to change boundaries of Worth, Winnebago and Hancock counties, 212, 279, 314.
150. A bill for an act for appraisement of property taken on execution, 217, 260, 264, 284, 285, 500.
151. A bill for an act to amend an act relating to tax to repair levee on Muscatine Island, 218, 233, 271, 329, 487, 488, 549, 573, 640, 654.
152. A bill for an act relating to settlement of liabilities on sale of lands of Des Moines River Improvement, 220, 264, 292, 423, 446, 491, 508, 528, 529, 555, 590.
153. A bill for an act relating to Treasurer paying Co. Warrants, 224, 291, 293.
154. A bill for an act to facilitate construction and operation of Railroads, 224, 414, 495.

House Files—

- No. 155. A bill for an act to amend an act relating to building bridges over Mississippi River at Dubuque, 224.
156. A bill for an act relating to American Association in London, 225, 233, 271.
157. A bill for an act to amend act relating to revenue, 226.
158. A bill for an act defining duties of county surveyor, 226, 414, 508, 509, 556, 558.
159. A bill for an act to prevent fraudulent conveyance of property, 226, 413, 493.
160. A bill for an act relating to publication of certain laws, 226.
161. A bill for an act relating to costs in Dist. Court, 226, 418, 450, 533.
162. A bill for an act to amend an act to protect game, 226.
163. A bill for an act to regulate manner of administering oaths, 226, 290, 292, 303, 328, 371, 376, 378, 389.
164. A bill for an act to locate Deaf and Dumb Asylum, 226.
165. A bill for an act to abolish office of Supreme Court Reporter, 227.
166. A bill for an act to provide for publishing Supreme Court Reports, 227.
167. A bill for an act to amend an act to protect game, 229.
168. A bill for an act to amend an act in relation to revenue, 229, 342, 369.
169. A bill for an act to authorize Secretary Board of Education to subscribe for Educational Journal, 229.
170. A bill for an act to establish commissioner of emigration in New York, 234, 264, 603, 589, 537, 371, 378, 392, 535.
171. A bill for an act for Attorney General to bring suit against persons obstructing navigation of Des Moines River, 234, 317, 328, 399.
172. A bill for an act to amend section 417 of Code 235, 399.
173. A bill for an act to amend chap. 150, acts 7th Gen Assembly, 241, 252, 269, 291.
174. A bill for an act in relation to Des Moines River Improvement, 244, 267, 286, 328, 344.
175. A bill for an act to provide for the establishment of Agricultural College, 382.

House Files—

- No. 176. A bill for an act to amend section 4, chapter 46, acts 1855, 250.
177. A bill for an act making bills of Iowa Banks legal tender for County tax, 250, 342, 370
178. A bill for an act legalizing levy of road tax in Sioux City, 250, 329, 331, 370, 372, 423, 442.
179. A bill for an act repealing chapter 160, acts 7th General Assembly, 251, 302, 371.
180. A bill for an act to exempt certain property from taxation, 251, 433, 514.
181. A bill for an act relating to weights and measures 253, 329, 472.
182. Substitute for House Files No. 58, 59 & 71, 254.
183. A bill for an act defining duties of Executors, &c., 258, 303, 311, 314.
184. A bill for an act limiting issue of Co. Warrants, 258, 399.
185. A bill for an act to provide for township and Co. organization, 259.
186. A bill for an act in relation to cities and towns collecting delinquent taxes, 259.
187. A bill for an act to amend section 2705 of Code, 259, 418, 423, 514.
188. A bill for an act to provide for valuation of property taken on execution, 259, 487.
189. A bill for an act relating to execution and orders of sale, 259, 489, 597.
190. A bill for an act to encourage Agriculture, 259, 278, 374.
191. A bill for an act for taking up estrays, 259, 482.
192. A bill for an act legalizing acts city of Maquoketa, 269, 303, 305, 515.
193. A bill for an act taxing lands unimproved, 270.
194. A bill for an act legalizing acts of Forest City township, Howard County, 280, 481, 651.
195. A bill for an act to amend School Laws of Board of Education, 282, 343.
196. A bill for an act to amend section 4, chapter 46, acts 5th Gen. Assembly, 282, 399, 628.
197. A bill for an act for protection of owners of cattle, 331.
198. A bill for an act to annex Van Buren township to Jackson, in Lee county, 291, 327, 344, 359.
199. A bill for an act allowing people to change the boundaries of counties, 292, 344, 371, 625, 631, 637.

House Files—

200. A bill for an act to amend chapter 52 of Code, 292, 344, 371, 378, 391.
201. A bill for an act relative to common schools, 292.
202. A bill for an act to amend chapter 15 of Code, 328.
203. A bill for an act to amend section 1249 of Code, 297, 303, 314, 447, 535, 556, 614.
204. A bill for an act to amend section 24, chapter 154, acts 7th Gen. Assembly, 297, 320.
205. A bill for an act authorizing Co. Treasurers to procure safes, 302, 314.
206. A bill for an act to exempt Homesteads from taxation, 304, 331, 660.
207. A bill for an act defining duties of railroad companies, 306, 344, 416, 424, 534.
208. A bill for an act to repeal act relative to location and erection of Institutions for Education of the Blind, 306, 452.
209. A bill for an act to amend laws relative to the sale of liquors, 308, 324, 371, 393, 395, 401, 406, 466.
210. A bill for an act to regulate issuing of executions in civil actions, 324, 331.
211. A bill for an act substitute for an act relative to power of towns and cities for school purposes, 319, 482.
212. A bill for an act to aid judgment creditors in the collection of judgments, 480.
213. A bill for an act fixing time of holding Courts in 5th Judicial Dist., 319, 323, 327, 344.
214. A bill for an act to regulate jury fees in cases of change of venue, 479, 575.
215. A bill for an act to prevent invasion of sister States, 320.
216. A bill for an act for assessment of damages in laying out roads, 321, 418, 422, 550.
217. A bill for an act defining duties of railroad companies, 329, 416.
218. A bill for an act to authorize the appropriation of proceeds of swamp land sales in certain cases, 329, 371.
219. A bill for an act to legalize the acts of Noah D. Haskall, Notary Public, 331, 332, 387, 399.
220. A bill for an act in relation to collection of debts, 331, 410.
221. Joint Resolution for organization of Dakota Territory, 341, 414.

House Files—

- No. 222. A bill for an act to encourage Teachers' Institutes 343, 370, 381, 604, 478, 516.
223. A bill for an act confirming act of Board of Education, 343, 415.
224. A bill for an act to amend chapter 137, acts 7th Gen. Assembly, 345, 371.
225. A bill for an act to give security to vendees and mortgagees of real estate, 345, 377, 495.
226. A bill for an act relating to assignment for creditors, 345.
227. A bill for an act bridging the Mississippi river, 345, 480.
228. A bill for an act legalizing railroad bonds issued by City of Camanche 363, 418, 505, 556, 640, 654.
229. A bill for an act providing payment expenses of Commissioners Des Moines River Improvement, 377, 423, 431, 459, 506, 516, 604.
230. A bill for an act relating to publication of city ordinances, 417, 506, 572, 640, 654.
231. Joint resolution for additional mail facilities, 414
232. A bill for an act for the relief of M. Sweeny and others, 368, 399, 433, 440, 460, 490, 516.
233. A bill for an act for election of township collector, 421, 440, 443, 473, 493, 654.
234. A bill for an act to secure lien to mechanics, 377, 414.
235. Joint resolution for additional mail facilities, 377, 514.
236. An act relating to Capitol Building, 389, 421, 435.
237. An act to remit taxes assessed to P. C. Tiffany, 396, 421, 489, 636, 641, 654, 664.
238. An act for incorporation of Hospitals for Insane, 396, 564, 614, 660, 663.
239. A bill allowing Hotel keepers certain liens, 397, 412, 424, 523.
240. Joint resolution for mail facilities, 398, 414.
241. do do 398, 399.
242. do do 414.
243. A bill for an act to legalize acts of sub-district of Columbia Township, Iowa county, 401, 482.
244. A bill for an act to authorize the collection of taxes voted by sub-districts, 401.
245. Joint resolution for additional mail facilities, 414.
246. A bill for an act relative to settlement of claims against State, 402, 421, 654.
247. A bill for an act to amend chapter 46 laws of 5th Gen. Assembly, 402, 408, 629, 565, 549, 559.

House Files—

- 248. A bill for an act to amend section 1983 of chapter 114 of Code, 402, 412, 522, 525.
- 250. A bill for an act giving certain powers to drainage commissioners of Jackson county, 402, 411.
- 251. A bill for an act regulating fees of Notaries Public, 402, 623.
- 252. A bill for an act for the relief of Jas. P. Brown, 403, 524, 541, 558, 603, 619.
- 253. A bill for an act for security of books, papers, &c., of State, 400, 594, 642, 654, 664.
- 254. Joint Resolution for mail facilities, 410.
- 255. A bill for an act to amend to amend section 16, chapter 158 of 7th Gen Assembly, 408, 514, 551.
- 256. A bill for an act for the scientific survey of Iowa, 408, 413, 460.
- 257. A bill for an act in relation to the damages done by dogs and to tax them, 411.
- 258. A bill for an act defining duties of county officers in relation to printing, 414, 437.
- 259. A bill for an act to authorize Des Moines Navigation and Railroad Company to issue preferred stock, 414, 447, 508, 559, 635.
- 260. A bill for an act to restrain stock running at large 414.
- 261. A bill for an act in relation to recording chattel mortgages, 414, 517, 660.
- 262. A bill for an act for the relief of Benjamin Keller and others, 414, 417, 451, 478, 516, 604.
- 263. An act in relation to publication of legal notices, 415.
- 264. Joint resolution for additional mail facilities, 414, 603, 619.
- 265. A bill for an act to carry into execution a trust conferred upon the State of Iowa in respect to grant of lands, 416, 436, 461, 466, 604, 535, 528, 497, 468, 492.
- 266. An act to amend chapter 157 laws of 7th General Assembly, 416, 517.
- 267. A bill for an act to encourage manufactures, 416, 516, 636.
- 269. A bill for an act to repeal section 6, chapter 93 acts of the 7th General Assembly relating to construction of bridges, 418, 450, 557.
- 270. A bill for an act for payment of School Fund Commissioners, 419, 533, 655, 663.

House Files—

- No. 271. A bill for an act making appropriations for the payment of the mileage of the members of the 8th General Assembly, 424, 435, 441, 450.
272. A bill for an act to repeal part of section 845, chapter 31, Code of Civil Practice, 431, 435, 450.
273. A bill for an act to repeal section 1376 Code Civ. Practice, 432.
274. A bill for an act to amend an act fixing times of holding Courts in 11th Judicial District, 433, 441, 490, 515.
275. A bill for an act amendatory of chapter 102, acts 7th Gen. Assembly, 433, 486, 655, 571, 656.
276. A bill for act to provide for election of Clerk Supreme Court, 434, 442, 443.
277. A bill for an act to legalize levy of school house tax in district township of Jefferson, Poweshiek county, Iowa, 434, 556, 589, 604.
278. A bill for an act exempting certain articles from execution and attachment, 434.
279. A bill for an act to amend sections 268, and 269 Code of Civil Practice, 435.
280. A bill for an act fixing interest on taxes in municipal incorporations, 435, 653.
281. A bill for an act relative to claim of Joseph D. Hoag, 437, 653.
283. A bill for an act to legalize acts of H. B. Horton Notary Public, 438, 477, 516, 604.
284. A bill for an act to amend section 101, chapter 8, Code of Civil Practice, 439, 480.
285. A bill for an act to authorize change of venue, 440, 479, 519, 556, 589, 604.
286. A bill for an act in regard to swamp land, 440, 485, 513, 514, 541, 546, 587.
287. A bill for an act to provide for election and define duties of Secretary of the Board of Education, 440.
288. Joint Resolution for additional mail facilities, 440.
289. A bill for an act in relation to registering transfer of land in this State, 446.
290. A bill for an act appropriating saline lands and funds to the State University, 446, 481, 509, 535, 640, 654.
291. A bill for an act defining duties of county judges, 447, 460, 490, 515.
292. A bill for an act to legalize taxes levied in Howard county in 1859, 448, 479, 604, 604, 556, 589.

House Files—

- No. 293. A bill for an act to prevent and punish trespass upon agricultural lands gardens and orchards, 449.
294. A bill for an act amending section 2 of act creating Board of Supervisors, 450, 571, 655, 656, 660.
295. A bill to amend an act creating Board of Supervisors, 450.
296. A bill for an act to provide members with Stationery, 450, 486.
297. A bill for an act to legalize issuing Lee county bonds, 450, 454, 511.
298. A bill for an act relating to public officers, 452, 523, 640, 654.
299. A bill for an act creating office of Commissioner of School and University funds, 454, 480, 503.
300. A bill for an act relating to insane persons and for relinquishment of dower of married women insane, 454, 492, 658, 663.
301. A bill for an act to release to the government of the U. S. the lands heretofore granted to the Iowa Central Air Line Railroad Co., 454.
302. A bill for an act to graduate the price of certain Swamp Land, 458.
303. A bill for an act to protect the right of counties to Swamp Land, 458.
304. A bill for an act to cure defective confessions of judgment, 475, 516, 551, 614, 656.
305. A bill for an act relating to trial of foreclosures on real property, 475, 518.
306. A bill for an act to render valid certain sales made under execution, 475, 607.
307. A bill for an act in relation to records of original title of lots in Iowa City, 475, 491, 521, 556, 570, 589, 604.
308. A bill for an act to provide for repairs upon Capitol Buildings, 475, 632.
309. A bill for an act relating to swamp and overflowed lands, 476.
310. A bill for an act to prevent frauds at elections, 476, 495.
311. Memorial and Joint Resolution for additional mail facilities, 476, 494, 523, 640, 654.
312. A bill for an act to legalize the acts of W. R. Brown, N. P., 476, 620, 603, 492, 523.
313. A bill for an act to prevent counties, cities and other corporations dealing in their indebtedness, 476.
314. A bill for an act in relation to dogs, 476, 644.

House Files—

- No. 315. A bill authorizing Governor to offer rewards for arrest of criminals, 476, 633, 655, 660.
316. Joint Resolution for additional mail facilities, 476.
317. A bill for an act to legalize acts of town of McGregor, 476, 505, 535, 603.
318. Joint resolution for additional mail facilities, 476, 545, 572, 603, 620.
319. A bill for an act to provide for the preservation of reports printed by the Legislature, 476.
320. A bill for an act to insure a more prompt publication and distribution of the session laws and other public documents, 486, 595, 630.
321. A bill for an act relating to text books used in public schools, 487, 595.
322. Joint Resolution for additional mail facilities, 488, 504, 522, 556, 603, 619.
323. An act to authorize Magistrates to employ Counsel in certain cases, 489, 503.
324. A bill for an act to provide for taking up water crafts &c., 602, 646, 653, 654, 656.
325. A bill for an act making appropriations for pay of State officers, 500, 511, 554, 589, 616, 622, 623, 654, 664.
326. A bill for an act relating to the assessing of real estate for taxation, 501.
327. A bill for an act to cede jurisdiction over certain lots, the property of the United States in the city of Dubuque, 501, 514, 556, 589, 604.
328. A bill for an act relating to the City of Eddyville, 501.
329. Joint Resolution in relation to Messrs. Sanders, 503, 527.
330. An act fixing time of holding Court in 10th Judicial District, 503, 512.
331. An act authorizing levy of tax for extending levee in Des Moines and Louisa counties, 504, 529, 556, 603, 619.
332. A bill for an act of Incorporation of Dubuque Lodge No. 127, I. O. O. F., 508, 515.
333. A bill for an act exempting lands owned by University from sale for taxes, 512, 587, 606, 619, 640.
334. A bill for an act regulating sale of swamp lands and disposing of the proceeds thereof, 513, 545, 656.
335. A bill for an act in relation to revenue, 514, 543, 558, 560, 573, 575, 584, 614, 615, 660, 663.

House Files—

- No. 336. A bill for an act providing for management of school fund, 514, 397, 625, 628, 663.
337. Joint Resolution for grant of land from General Government for McGregor, St. Peters and Missouri River Railroad company, 519, 556, 603, 619.
338. A bill to amend chapter 29, section 327, of Code, 519, 548, 614.
339. An act prescribing duties Co. Treasurer in certain cases, 519.
340. A bill for an act to amend chapter 43, of acts of 1st Gen. Assembly, 519, 629.
341. A bill for an act relating to government of Penitentiary, 523, 563, 587, 619, 640.
342. A bill for an act to amend section 20, authorizing general banking law in the State of Iowa, 523.
343. A bill for an act to amend section 10, chapter 104 laws of the 4th General Assembly, 525.
344. A bill for an act making appropriations for Blind Asylum at Vinton, 525, 608, 609, 642, 854, 664.
345. Joint resolution for additional mail facilities, 525, 619, 603, 551, 573..
346. A bill for an act to require recording of official bonds, 532.
347. A bill for an act providing payment of expenses incurred by Attorney General in case of State of Iowa vs. William Tighlman et al, 532, 565, 575, 591, 616, 640, 654.
348. A bill for an act requiring State officers to record their reports, 533, 616.
349. A bill for an act to change the fiscal year and define the duties of State officers in certain cases, 533.
350. A bill for an act to regulate evidence in certain cases, 538.
351. A bill for an act defining manner of measuring husked corn in crib, &c., 539.
352. An act providing for auditing accounts for publishing laws in newspapers, 543, 573, 619, 640, 654.
353. A bill for an act in relation to evidence, 545, 550, 636, 654, 664.
354. A bill for an act to amend chap. 12, session laws 1858, 545.
355. A bill for an act to legalize acts City Council of Fort Madison, in Lee county, 545, 573, 640, 654.
356. A bill for an act to amend an act to provide a system of common schools, 547, 548, 587, 588, 455.

House Files—

357. A bill for an act to provide for meeting of Board of Education, 547, 588, 656.
358. A bill for an act to amend an act to provide for a system of common schools, 547, 573, 640, 654.
359. A bill for an act for the relief of Amity College, 548.
360. A bill for an act to incorporate a clause in section 826 of the Code, 548.
361. A bill for an act to rebate tax destroyed by fire, 549.
362. Joint resolution for additional mail facilities, 553, 573.
363. A bill for an act to preserve the Laws, Journals, and other public documents of the General Assembly, 554.
364. A bill for an act regulating fees of certain county officers, 555, 591, 593, 621.
365. Joint resol'n for additional mail facilities, 558, 611
366. do do do 558, 612
367. An act to provide for canvassing votes in the Senatorial and Representative districts, 558, 585, 640
368. Joint Resolution for election of Trustees of the State Agricultural Society, 560, 571, 617, 640, 654
369. A bill for an act to provide for the publication of the Revised Statutes, 360, 617, 651, 652, 657, 660
370. A bill for an act to amend the charter of the town of Guttenburg, 560.
371. A bill for an act to provide for a levy of tax for State purposes for the year 1860, 564, 599, 616, 640, 654.
372. A bill for an act to provide for the publication of the General laws in the German language, 565, 596, 600, 610, 611, 636, 654, 664.
373. A bill for an act to legalize acts James T. Lane, Notary Public, 568.
374. Bill for an act providing for the submission to the people of act in amendment of chapter 114, 7th General Assembly, 570.
375. Bill for an act to change the corporation of Winterset, 570.
376. Joint resolution in relation to reduction of rates of duties on certain exported articles, 570, 612.
377. An act conferring powers on Commissioners Des Moines River Improvement, 570, 598, 636, 654, 664.

House Files—

- No. 378. Bill for an act to appoint Commissioners to settle with Jas. D. Eads, 570, 634.
379. Joint Resolution, 570.
380. Bill for an act to change the fiscal year and define the duties of State officers, 570, 622.
381. Bill for an act to amend section 78 of Code, 570.
382. Bill for an act to authorize the Census Board to make rules adapting laws of present session to previous laws, 570.
383. Joint resolution for additional mail facilities, 571, 623, 640, 654.
384. Bill for an act to change name of John Brown, 571.
385. Joint Resolution, 654, 640, 571, 623.
386. Bill for an act to amend the Civil Code, 571, 640, 654.
387. Bill for an act in relation to injunctions sought and defenses set up on account of usury, 583, 629.
388. Bill for an act providing for the publication of certain laws, 584, 614, 654.
389. Bill to amend an act passed by the Board of Education December 24th, 1859, 608, 609, 656, 663.
390. Bill to amend section 3, chap. 151, acts 5th Gen. Assembly, 611.
391. Bill for an act proposing an amendment to 11th section of 7th article of the Constitution, 620, 664.
392. Bill for an act to provide for the election of Recorder, 621, 626.
393. Bill for an act to abolish the salary of Clerk of the Dist. Court, 621, 625, 655, 662, 663.
394. Bill for an act defining the duties of Co. Treasurers, 621, 626.
395. Joint Resolution for the distribution of laws to the members, 622.
396. Bill for an act to authorize the publication of certain laws in certain papers, 624, 656, 660, 663.
397. Bill for an act to repeal sections 50, 51 and 52 of chapter 152, acts 7th General Assembly, 633, 657, 663.
398. Bill for an act making an appropriation for payment of members and officers of House, 645, 646, 648, 657, 660.
399. Bill for an act requiring Clerk of Board of Supervisors to give bonds, 641, 663.
400. An act ceding jurisdiction over certain lots in the city of Dubuque, 642, 649, 660, 663.

House Files—

- No. 401. Bill for an act in relation to revenue and assessment for State purposes, 651
 402. Bill for an act providing for the election of members of Congress, 660.

*Indebtedness, 16.**Investigating Commissioners, 40,*

Incest, 90, 303, 314, 321, 373, 469, 490, 516.

Judges, County, 72, 95, 103, 104, 139, 176, 212, 213, 224, 230, see House File number 291.

Joint Convention—

To canvass votes for Governor &c., 48, 49.

To Inaugurate Governor, 51.

To elect United States Senator, 74, 79, 80.

On Rules, 80, 82, 88, 93, 96, 119, 121.

To elect State Printer and Binder, 136, 140, 143, 144.

To elect Directors for State Bank, 198, 199, 200, 201.

Judges, County—

Additional jurisdiction in civil cases, 449.

*Library, 500.**Liens—*

Judgment, 88, 177, 194, 233.

Messages—

From Governor, 14 to 47, 94, 125, 140, 159, 296, 306, 346, 379, 553, 638.

Inaugural from Governor, 51 to 62, 210, 388, 418.

Motion to print Governor's Message, 67, 68, 69, 77.

From Senate, 13, 14, 48, 63, 74, 75, 80, 82, 84, 85, 88, 94, 96, 103, 113, 115, 121, 126, 136, 140, 151, 171, 183, 197, 198, 215, 227, 231, 232, 239, 252, 259, 260, 261, 262, 284, 285, 323, 358, 359, 366, 367, 369, 376, 377, 387, 390, 393, 398, 407, 415, 418, 423, 428, 435, 438, 441, 443, 454, 460, 468, 477, 500, 506, 522, 526, 528, 529, 532, 535, 537, 543, 555, 558, 560, 564, 572, 575, 580, 582, 586, 592, 594, 598, 614, 616, 617, 622, 623, 625, 628, 629, 631, 635, 636, 642, 646, 647, 648, 649, 651, 653, 656, 657, 661, 662, 663, 664.

Mortgages—

See House Files 41, 80, 225, 305.

Members—

Who are, 5.

Mileage, 364, 366.

Office—

Secretary of State, 41.
 State Land Office, 41.
 Superintendent, 41.
 Auditor, 44.
 Executive, 45.

Oath of Office—

To Governor and Lieut. Governor, 51.
 To Judges Supreme Court, 62.

Pardoning Power, 30.

Pennsylvania, 40.

Prison State, 27, 150, 151, 206, 215, 219, 222, 242, 279, 284, 423, 437, 458, 500, 498, 523, 563.

Protest—

Of N. B. Baker, et al, 147.
 Of Rush Clark, et al, 163, 165.
 Of T. W. Claggett, et al, 184.

Petitions—

For abolition of office of County Judge and establishing Tp. organization, 72, 95, 103, 104, 139, 176, 212, 213, 224, 230, 233, 234, 248, 255, 268, 269, 298, 364, 376, 475, 517.

For repeal of section 15, chapter 13, on swamp lands, 72.

For a law requiring railroads to be fenced on both sides, 72, 149.

For change in school law, 73, 82, 149, 188, 235.

For the repeal of chapter 45 of acts of Gen. Assembly of 1855, 73.

To declare Little Sioux River navigable, 73.

For repeal of liquor laws, 82, 84, 103, 233, 247, 248, 269, 276, 280, 286, 298, 300, 301, 339.

To grant mortgagors time to redeem real estate, 82.

For legislation in regard to Teachers' Institutes, 82.

To vacate part of town plat of Waverly, 82, 134.

Relating to swamp lands, 82,

To repeal chapter 193, laws of 6th Gen. Assembly, 84.

To donate certain lands to Cedar Rapids and Missouri river railroad, 84, 95, 103, 104, 112, 119, 120, 176, 248, 262, 300, 383, 397, 410, 411, 417, 419, 485.

For grant of lands to Council Bluffs, Boyer Valley and Minnesota Railroad, 84, 134, 218.

To annex O'Brien to Cherokee county, 84.

To attach Sioux and Buncombe counties to Plymouth, 84.

For a valuation and appraisement law, 85 193 218 250 301 302.

To attach O'Brien to Clay county, 94.

Petitions—

For repeal of chapter 63 of laws of 7th General Assembly, 94.

For relief of certain counties in trial of causes, 95.

For compensation in selecting swamp lands, 95.

Of Board Directors Queen City Township District, Adams county, 95, 482.

Of Chicago, Iowa & Nebraska Railroad Company, 103.

To print Road Law, 104.

Of J. D. Hoag, pay as Commissioner to locate seat of Government, 120.

Relating to fences, 120, 176.

To tax dogs, 125, 157, 257.

Relating to slaughtering stock within enclosure, 125, 134, 156, 279.

Relating to game laws, 132.

Relating to stay laws, 132.

Asking that township levy taxes for bridges, 139.

To repeal chap. 147, laws 1858, 139.

Of John Bryan, compensation for labor, 139.

Relating to organization of Fire Companies, 139.

Relating to message from Senate, 158.

For additional term of District Court in Louisa county, 176, 484.

To change mode of taxation, 176.

For the relief of Wm. Woodward, 176.

Relating to Mechanics lien, 188.

To connect Van Buren tp., Lee county, to Jackson, Montrose and Des Moines for Judicial purposes, 196.

For additional Clerk in Recorder's office, Lee Co., 198.

To organize new township in Van Buren county, 198, 224, 363.

To pass a personal liberty bill, 199, 339.

Relating to redemption of property sold and foreclosure of mortgage, 200, 234, 276.

For exempting entered and improved land from taxation, 209, 268, 269, 448.

Relating to school lands, 210.

To change boundaries of Hancock, Woodbury and Winnebago counties, 210, 212, 216, 279.

Relating to Keokuk, 212, 252.

For payment of School Fund into State Treasury, 212, 442.

To legalize Hartland Tp., 212, 290.

To abolish death penalty, 212.

For grant of land for McGregor Railroad, 224, 276, 329, 448.

Relative to Dubuque, Marion & Western railroad, 224.

do Central University borrowing money, 224, 482.

Petitions—

Relative to grant of land to Air Line Company, 224, 225, 233, 234, 604.

Relative to sale of Beer, 225, 255.

do locating Deaf and Dumb Asylum, 226.

do selling land less than two-thirds value, 229.

To appoint land grant agent, 234, 263.

For restoration of Liquor law of 1857, 234, 263, 298, 370, 376.

To prevent counties from aiding railroads, 234.

To compel persons to give security for costs, 235, 442.

To exempt certain manufactures from tax, 248.

To regulate toll of flouring mills, 249, 286.

To create court of Common Pleas, 249, 399.

Relative to mail routes, 255.

do School Fund Commissioner Linn county, 255, 402, 403.

Relative to railroad bonds issued, 255, 290, 299, 363.

To abolish office Co. Superintendent, 255, 278.

Relative to highways, 255, 279, 298.

For ferry over Missouri river, 255.

To reform schools, 256.

To add 81 of Range 40 to Crawford Co., 268, 312.

Relating to railroads, 269, 276, 297, 304.

To legalize election in Maquoketa, 269.

For new county, 276, 338, 363.

Against new county, 338.

For teachers' Institute, 276, 286, 343.

To attach Osceola to Dickinson county, 287.

To create town college, 287.

For relief of Geo. V. Crosthwait, 287, 480.

For tax on overflowed land, 287.

For relief from Sioux Indians 287.

To donate public square in New Ireland, 298, 479.

Relative to revenue law, 300, 302.

do to Paupers, 299.

do to Levee in Muscatine Island, 201, 344.

For payment of back taxes, 317.

To abolish laws for collecting debts contracted after July 4th, 1860, 317.

Relative to changing boundaries of Clinton county, 324, 376, 383, 397, 410, 487.

Relative to County Judge of Johnson county purchasing poor house farm, 329.

For Tp. Collector in each tp., 329.

To exempt certain improvements on land from taxes, 329, 411, 421, 422, 488.

Relative to claim of C. J. Irwin, 338.

Petitions—

- Relative to amending city charter of Oamanche, 338, 360, 364.
- do mail services, 339.
- do License Law, 339.
- To repeal act incorporating Winterset, 339.
- For amendment in R. R. and Incorporation, 370.
- Relative to county seats, 370.
- For changing boundaries of Jackson Township, 370, 377, 421, 422.
- For Mechanics Lien, 376.
- For vacating certain roads, 377.
- For protecting laborers on railroads, 394, 411.
- For legalizing the acts of sub-dist Columbia Township, Tama Co., 397.
- Relative to freight and passengers on railroads, 397.
- do purchase of law library, 402.
- do Jurors' fees, 402.
- do R. R. county officers, 402.
- do Agricultural College, P. Melendy, 406.
- To repeal all laws authorizing Sec'y Board of Education to recommend books in schools, 411.
- Relative to boundaries of Hardin and Grundy counties, 417, 422, 542.
- To change the name of Winfield to Harper's Ferry, 446, 486.
- To abandon mail facilities, 446.
- That Board of School Directors have power to fix boundaries of sub-districts, 448.
- For removal of obstructions in river, 448.
- To restrain stock running at large, 448, 517.
- For relief of sureties Jno. Bell, defaulting School Fund Commissioner, 475.
- To exempt certain property employed in manufacturing from taxation, 487.
- To repeal all laws prohibiting hogs and stock running at large, 488.
- To release Amity College Association from contract for purchase of school lands in Page county 488.
- Asking Constitution for Society known as Madison county Independent Horse Protection Company, 509.
- For repeal of Law requiring the printing of notices in all judicial sales, 524.

Resolutions—

- For a committee on credentials, 3.
- To reduce the per diem of officers of House, 6.

Resolutions—

For Clerk to pay postage and arrange delivery of mail matter for members, 11, 70.

Fixing compensation of officers of House, 13, 65.

For Committee to inform Senate of organization, 13.

do do Governor do 13.

For committee to report amount that has been paid State Printer and is still due him, the rates charged: also amount paid and due for State Binding, 13, 14.

To grant the use of Hall to Agricultural Society, 14.

Relative to Post Master, 48.

To canvass votes, 48.

For clerks to furnish desks to newspaper reporters, 48.

To dispense with further reading of the Governor's Message, 48.

To invite members of the Board of State Ag'l. Society to witness the Inauguration, 51.

Of invitation to clergymen, 12, 91.

For a committee to prepare rules for House, 65.

To print Governor's Message, 67.

To employ Peter Barrendrecht to superintend printing of Message and Inaugural in Holland, 266, 69, 418.

To instruct committee on county and Township organization to prepare a bill to abolish the office of Co. Judge, and organize a Board of Commissioners, 73, 82.

That State Auditor report items of amount paid for Geological Survey, 73, 91, 223.

That State Auditor report items of amount paid for Frontier Army, 73, 91, 223.

That State Auditor report items of amount paid as miscellaneous disbursements, 73, 91, 223.

That State Auditor report items of amounts paid for Insane Asylum, 73, 91, 223.

That State Auditor report different funds of the counties, &c., 87.

That State Auditor report copy of bills of commissioners for Institution of Blind at Vinton, 73, 92, 128, 129, 131, 210.

That State Auditor report list of delinquent counties, 73.

To request Governor to inform House if Company for protecting frontier has again been ordered into service, 74, 92, 94.

That committee of State University report amount expended for completion of said building, 74.

That Auditor of State report number of days occupied by Committee appointed to examine State officers and report of said committee, &c., 74, 92, 105, 117, 131, 179.

That Sergeant-at-arms allow Daniel Hutton to keep a refreshment stand in the upper Hall of this House, 74.

Resolutions—

That committee on Judiciary inquire into the expediency of repealing all laws in relation to usury, 74.

As to daily papers, 74, 75.

To allow Clerk and Sergeant-at-arms papers, 77.

That Secretary of State furnish members with copy of acts of last Gen. Assembly, 82.

That Auditor of State report amount of General Contingent Fund, 82, 253.

That committee on Township Organization report a bill for complete township organization with Board of Supervisors, 82.

To instruct committee on Judiciary to report a bill taxing real estate only, 83.

To allow members to speak 15 minutes, 83.

That Secretary of State furnish District Judges Supreme Court Reports, 83.

To grant use of Hall to Legislative Agricultural Debating Club, 83, 122, 214.

To make Sergeant-at-arms responsible for damage done to Hall, 83.

For purchase of Dillon's Digest, 85.

Prescribing duties of Trustees of Public Institute, 85.

Relative to the Blind Asylum, 86.

To tolls of Millers, 86.

To office of County Judge, Drainage Commissioner and Supervisor &c., 86, 125.

Relative to publishing notices of sale in newspapers, 86.

Relative to establishing reform school, 86.

Relative to chattel mortgages, 86, 127.

do Iowa Central Air Line railroad, 86.

do trial of causes in certain counties, 87.

do chapter 23, laws of 1858, 87.

To add L. O. Noble and F. A. Stevens to committee on Agriculture, 87.

Relative to separating office of Treasurer and Recorder, 87.

Altering School Law, 87, 278, 343.

That Clerk furnish members printed order of day, 93, 102.

That Secretary Agricultural Society report manner in which \$2,000 was expended, 93.

To print additional copies of Auditors report, 93.

That Atty. Gen. report progress made collecting \$70,000 from Eads, Supt., &c., 93.

For Clerk to have printed rules and joint rules, 93.

Relative to joint resolutions passed at last Gen. Assembly, 96, 287, 298.

Relative to abolishing Board of Education, 96.

do striking out section 10, article 5, of Constitution 96.

Resolutions—

That Secretary of State report whether Auditor has reported as required by resolution of last General Assembly, 96.

That Sec'y of State furnish each member with Constitution of State, 97.

That Clerk furnish each member Code, debates of Constitutional Convention and last five sessions, 97.

To exempt from taxation \$1,000 improvements on farming land, 97, 156.

That State Printer print laws on one side of paper, 97.

For publication of all laws in newspapers, 97.

To exempt from taxation buildings worth \$200, and tax unimproved lands same as improved, 97.

To abolish revenue law, requiring publishing delinquent tax list, 97, 178.

In regard to Homestead Law, 98, 135.

To repeal act creating sub school Dist., 98.

To consolidate Officers of Agricultural Society and Agricultural College, 98.

To instruct Gov. to withhold certificate to R. R. Co. 98, 135.

To appoint Committee to redistrict State into Representative and Senatorial Dist., 98, 103.

To abolish Grand Juries, 99, 108, 120.

That Committee on Ways and Means act as a standing committee on revenue, 99.

That messengers distribute documents equally, 99.

To reduce pay per annum of Co. officers, 104.

To abolish the office of County Superintendent of Schools, 104.

To amend law relating to Grand Juries, 104.

Relating to sub-school Dist., 104.

do printing paper, 105.

do to sale of property for purchase money, 105, 155.

To revise and re-publish school laws, 106.

To tax railroads, 106.

To relieve purchasers at tax sales, 106, 342.

Relating to Iowa Reports, 106, 309.

do Witness' and Juror' fees, 106.

To abolish hog laws, 106.

To print laws relating to township officers, separate, 106, 135.

To authorize Auditor to employ Clerks, 112.

To abolish salary system of Co. Officers, 113.

That Clerk order from Sec'y of State 12 copies of Hall's Geological Survey for each member, 113, 153.

That Sec'y of State inform House of the number of copies of Geological Survey in his possession, 114, 131.

Resolutions—

In relation to publishing and distributing session laws, 114, 160.

Relating to 2 per cent. interest on School Fund, 113, 278.

Inquiring why session laws &c., of last General Assembly were not distributed in time, 113.

To allow township Trustees to locate roads, 113.

That State Printer inform Gen. Assembly whether Session Laws were printed by 1st May, 113, 160.

That State Binder inform House whether Session Laws were bound within time prescribed, 113, 160.

To prohibit County Judges submitting question of removal of county seats, 115.

To tax railroads, 115, 216.

In regard to Clerk's employed in State offices, 118.

In regard to duties of Road Commissioners, 120, 155.

Relative to salary of Road Supervisor, 120.

do Highways, 121, 179, 180, 303, 341.

For Governor to furnish House copy of report of Com. to examine State Offices, 121, 160.

Relative to repealing chap. 60 of Acts 1855, 121, 342.

do assessment and collection tax, 121.

do assessing lands, 122, 154.

do collecting delinquent taxes, 122.

do Sheriffs, Recorders, Executors and Attys, 122.

do Fencing, 122, 150.

do the Governor of Iowa, 122.

do publishing laws—price, 125.

do defaulting State and County officers, 126, 155.

do driving stock, 126.

do setting fire to prairies, 132, 155.

do appropriation bills, 132.

do school laws, 132, 251, 162, 278, 343.

do guide boards on public roads, 133.

do requisition of Gov. of Virginia, 136.

do collection of delinquent taxes, 139, 149.

do State Printing, 139, 140.

That Secretary of State furnish members with knife and pen, 150.

Relative to taxing lands, roads and highways, 150, 178.

do Lunatic Asylum and Penitentiary, 150, 151.

do payment to school fund commissioners, 162, 244, 277.

Relative to lease of Capitol building, 162, 197.

do dams on Des Moines river, 162.

do grant the use of Hall to railroad discussion, 171, 180.

Relative to roads and timber, 178.

Resolutions—

Relative to binding inhabitants School Dist. in voting for S. H. tax, 178.

Relative to Justices holding regular monthly sessions, 178, 256.

Relative to abolishing all laws for collecting debts, 179, 218

do holding inquests, 179, 252.

do change of venue, 179.

do employing chaplain Penitentiary, 179.

do reporters of newspapers, 179.

do settlement of decedents estates, 180, 252.

do salaries of Clerk and Treasurer and Recorder, 180.

Relative to publication of real property for sale for delinquent taxes, 180.

do Geological reports, 181, 810.

do Brown's invasion of Virginia, 188.

do citizens of this State committing offences in other States, 190.

Relative to cruelty to animals, 190.

do amend section 4, Bill of Rights, Constitution, 125, 191.

Relative to admitting persons on to floor of House, 195.

To grant Hall to Rev. Dr. Totten, Prest. State University, 198, 213, 214, 216.

Relative to repealing act establishing Agricultural College, 209.

Relative to repealing section 2528 chap. 136, Code, Clerk D. C., 214, 291.

Relative to State bidding in land at tax sales, 214.

To put a flag on the Capitol, 216.

Relative to safety of papers &c., in Capitol, 221, 262, 501.

do selling real estate for taxes, 225.

do law for incorporation of cities and towns, 225, 845.

For opinion from Atty. General, 230.

To give use of Hall to A. G. A. Constable, 235.

To prevent import of thieves &c., 235, 249.

To give use of Hall to Elder Swallow, 240.

Requesting committee on Schools' to report law for independent School District and provide for early meeting of Board of Education, 455.

Relative to slander, 255.

do Miss. & Missouri R. R. Company, 256.

do Amount expended for State University, 256.

do Stationery, 275, 297, 340.

do Railroads, 277, 280.

do Amount of land entered and subject to tax, 282

do Adjournment, sine die, 307, 308.

- That Governor furnish copy of report of committee to examine into affairs of State offices, 309.
- Relative to night sessions, 313.
- do crossings and side walks, 315.
- do Bankers being made responsible for collections, 317.
- Relative to Auditor's not reporting, 317, 332.
- do separating office Treas. and Recorder, 317, 364, 526.
- Relative to Sec'y Board of Education inform House what books are used in public schools, 321.
- Relative to Coppoc, 329, 332.
- do expense of Charitable Institutions, 339.
- do amendment Section 11, Article 1st, Constitution, 341.
- Relative to Library for Supreme Court, 368.
- do speed of railroads in streets, 380.
- do Governor offering reward for Small and Seaman, 397.
- Relative to animals running at large, 398.
- do register of births, 399.
- That Secretary of the Board of Education make suggestions, 411.
- To give Hall to Friends, 415.
- Relative to absent members, 416.
- do paying members while absent, 419.
- To request Governor to state time Commissioners to investigate State Offices were appointed and if they are now acting, and if they have been reappointed, 497.
- That committee on ways and means enquire into expediency of purchasing law library, J. Grant, 501.
- Relative to authorizing independent fire Co's., 501.
- do creating officer to take charge of School Fund of State, 501.
- To appoint committee to arrange acts of present session, 504.
- To furnish J. H. Williamson Supreme Court Reports, 512.
- To print 5,000 copies of supervisors bill for use of Legislature, 521.
- To appoint a committee to examine if further legislation is necessary, 539.
- That Chief Clerk appoint 1st ass't Clerk, 541.
- Relative to mail matter coming to members, 544.
- do Secretary of State sending documents to members, 544.
- Donating sundry Helmet and Armor to Historical Society, 544.
- Relative to Gov's. Message, 533.

Resolutions—

Tendering thanks of House to Hon. John Edwards, as Speaker, 589.

That Sec'y of State furnish Clerks of House with Supreme Court Reports, 599.

To furnish Supreme Court Reports to Postmaster and 1st Messenger of House, 500.

Of thanks to officers of House, 600.

For committee to examine bills on file, 600.

Presenting chair to Hon. John Edwards, 601.

That Chief Clerk employ an assistant Enrolling Clerk, 605.

That Clerk employ sufficient assistance, &c., 622.

To distribute reports from Insane Asylum and State Penitentiary, 623.

Relative to an entertainment proposed by the Ladies of Des Moines, 624.

To furnish each member with a copy of Dillon's Digest and the Revised Statutes, 631.

To furnish Sergeant-at-arms the same books and documents that the Clerks had, 635, 636.

To instruct Sec'y of State to have all the Reports of State Officers bound and furnish each member with a copy, 646.

That the Chief Clerk inform State Printer and Binder in relation to com. reports being bound and distributed before this body adjourns &c., 652.

Relative to pay of assistant Clerks, 653.

To give copy of reports and documents to reporters, 656.

Joint resolution to specify what matter shall be printed in newspapers, 657.

Relative to publishing Journals of Senate and House, 658.

Of thanks to the ladies of Des Moines, 659.

Relative to furnishing G. Washburn Stationery, 661.

To distribute documents among members, 663.

Relative to printing Journals, 663.

Reports

Committee on Credentials, 4.

do to inform Gov. of organization, 14.

do do do that House was ready to go into Joint Convention, 48.

Of Secretary of the Board of Education, 70, 88.

Of State Librarian, 70.

Of Secretary of State, 135.

Geological Survey, 181.

Committee on Schools and State University, 546.

Rules of House, 6, 471, 497, 509, 526.

Registry Law, 84.

Railroads, 37.

School Fund and Lands, 20, 125, 442, 541.

State Reform School, 31, 86.

State Arms and Volunteer Corps, 35.

Supreme Court Clerk, 428.

Swamp Lands, 24, 101, 258, 299, 300, 398, 458, 485.

Stock Running at Large, See House File 260.

Senate File—

- No. 1. A bill for an act in relation to pay of members of General Assembly, 63, 67, 78, 79, 85.
- 4. A bill for an act in regard to interest on delinquent taxes, 198, 199, 254, 342, 361, 368.
- 6. An act to provide for appraisement of property sold on execution, 500, 502, 541, 557, 575, 598.
- 10. A bill for an act to amend section 1240 of Code, 217, 227, 302, 328, 374, 415.
- 14. An act to authorize Co. Judge and Treasurer to sell Saline Land, 260, 512, 526.
- 15. An act to fix time of holding Court in 10th Judicial District, 393, 406.
- 24. A bill for an act to enforce collection of taxes, 113, 159, 516, 606, 622.
- 25. An act to provide for payment of late School Fund Commissioners, 261, 572, 650.
- 28. A bill relating to attaching Buncombe to Plymouth county, 159.
- 32. A bill for an act to amend chap. 156, acts 7th Gen. Assembly, 171, 228.
- 33. An act to amend chap. 107 of acts of 6th Gen. Assembly, 227, 228, 408, 441.
- 34. An act to amend chap. 43 of Code of 1851, 477, 488, 627, 629, 649.
- 35. An act to legalize certain railroad bonds in Mitchell county, 622, 643, 649.
- 37. An act for the disposition of the Saline Fund, 460, 477.
- 43. A bill for an act fixing times of holding Courts in 2d Judicial District. 198, 209, 215, 228.
- 44. An act fixing time for Court in 3d Judicial Dist., 213, 215, 220, 239.
- 47. A bill for an act to collect school and saline funds and interests, 259.
- 50. An act concerning apprentices, 227, 228, 291, 293, 393, 406, 408.
- 52. A bill for an act relating to Keokuk and Fort Des Moines and Minnesota Railroad Company, 209, 215, 228.
- 54. A bill for an act to amend section 8, chapt. 104 of acts of 1853, 198, 290, 483.

Senate Files—

56. A bill for an act to authorize County Judge of Appanoose county to appropriate swamp land funds to the erection of a Court House, 454, 477, 489, 602.
61. An act repealing part of chap. 138, of laws 6th Gen. Assembly, 468, 478, 504.
62. An act making an appropriat'n for selecting swamp lands, 469, 508, 511, 543.
65. A bill for an act concerning appeals of causes from Dist. Court of Jefferson Co., to Supreme Court, 198, 321, 374, 604, 647.
69. An act to amend chap. 188, acts 6th Gen. Assembly, 564.
71. An act making appropriation to Insane Asylum, 526, 528, 542, 560, 580.
74. An act to pay claim of William McHarque, 215, 277, 307, 358, 660.
75. An act to regulate State and Co. roads in cities and towns, 359, 360, 413, 495, 550, 580.
76. A bill for an act making an appropriation for the support of the Penitentiary, 423, 437, 458, 500.
78. An act for Government of State University, 468, 477.
80. A bill for an act to release to Martin McHugo the right of estate by escheat to certain lands, 228, 247, 291, 375, 415.
82. An act relating to a bridge over the Mississippi river at Dubuque, 259, 303, 331, 373, 393.
84. An act to restrain issue of Co. bonds &c., 478.
86. A bill for an act to prevent Co. officers dealing in county indebtedness, 360, 372, 393.
87. An act to amend section 24, chap. 158, acts of the 7th Gen. Assembly, 359, 360.
88. An act to regulate foreclosure of deeds of trust and mortgages, 358, 438, 469, 555, 573, 575, 592.
89. A bill for an act to authorize Co. Judge to subscribe stock in Agricultural Societies, 422.
90. A bill for an act fixing time of holding Court in 5th Judicial District, 239.
93. An act to legalize the acts of D. O. Sperry, N. P., 407, 409, 441.
96. An act to amend an act to prevent trespass on swamp lands, 500, 567, 592, 636.
100. A bill for an act to regulate foreclosure of mortgages, 393, 407.
101. An act to render valid the service of original notices, 359, 360, 479, 540, 560.

Senate Files—

105. An act to regulate the payment of Jury fees, 359, 360, 413, 495, 518.
106. An act to provide the payment of costs incurred in collection of school fund, 523, 567.
107. An act to legalize organization of Hartland Tp. in Worth county, 393, 407, 519, 532.
110. An act to provide for the alteration and vacation of streets and alleys, 359, 360, 412, 494, 532.
111. An act to legalize sale of certain school lands in Tama county, 586, 636.
113. An act to legalize city election in Glenwood, 359, 360, 413, 532.
114. An act to amend certain section of criminal law, 407, 409, 441.
115. An act to define duties of railroad Companies, 592, 594, 612, 613.
116. An act to submit claims and defences of Eads to arbitrators, 393, 394, 481, 493, 548, 520, 524, 528.
117. Joint resolution for additional mail facilities, 359, 360, 377.
120. An act changing boundary of Dickinson county, 359, 360, 400.
122. An act to amend chapter 156 of 6th Gen. Assembly, 358, 360, 440.
124. An act requiring banking corporation to make quarterly statements, 526, 566, 630, 649.
125. Joint Resolution for additional mail facilities, 358, 360, 414.
126. An act to establish a Code of Civil Practice, 372, 376, 396, 416, 421, 426, 564.
127. A bill requiring Co. Judges to levy taxes upon certain lands, 653, 654.
129. An act for the relief of persons heretofore divorced, 407, 415, 447, 449.
131. Joint Resolution for additional mail facilities, 359, 360, 414.
132. Joint Resolution to instruct Senators and Representatives in Congress, 359, 360, 414.
135. An act authorizing Governor to provide for the protection of citizens against Indian depredations, 359, 367, 369.
138. An act to legalize acts of Ohas. A. Bannon, N. P., 469, 478, 489, 532.
139. Joint resolution for additional mail facilities, 387, 407, 414, 478, 532.
140. An act providing for the election of Supreme Court Reporter, 469, 478, 503, 593, 616.

Senate Files—

- 142. An act to extend time to Dubuque and Pacific R. R. Company to construct 75 miles of road, 377, 381, 390.
- 143. An act regulating partition fences, 423.
- 144. An act requiring complete reports from officers in charge of State buildings, 501, 502, 543.
- 147. Joint resolution for additional mail facilities, 407, 422.
- 149. An act to legalize acts Bloomfield tp., school district, Davis county, 415, 422.
- 150. An act to amend an act to provide appropriation for State Historical Society, 501, 502, 516, 525, 532.
- 151. An act repealing part of section 28, chap. 159 acts General Assembly 1858, 469, 478.
- 153. An act to establish Code of Criminal Practice, 454, 464, 594.
- 158. Joint Resolution for additional mail facilities, 415, 422.
- 159. An act to carry into effect provisions of sec 15, chap. 21 acts of 7th Gen. Assembly, 469, 478, 524, 542, 594, 623.
- 161. To amend section 2548 of Code, 575.
- 164. An act to regulate compensation of Clerk of Dist. Court, 556, 566, 663, 655, 593.
- 165. An act to secure mechanics liens 469, 476, 624, 649, 662.
- 166. Declatory of an act extending time of completion of Dubuque and Pacific rail road 75 miles 469, 477, 494, 532.
- 167. Requiring witness fees to be paid in advance 556, 566, 648, 662.
- 168. Authorizing County Judge of Warren County to pay money to School districts No 3 & 8 in Jefferson township 478, 490.
- 170. Legalizing the issue of certain bonds in Story County 469, 477, 534, 560.
- 171. Joint resolution for additional mail facilities 478, 553, 573.
- 173. An act for the suppression of intemperance 477, 478, 488, 572.
- 177. An act to legalize levy of taxes in Grundy County 469, 478, 648, 662.
- 179. An act authorizing trustees to sell lands 526, 560, 538.
- 180. An act for the relief of John Bell defaulting school fund commissioner 573, 514, 557, 477, 488.

Senate Files—

- 181. An act to prevent the sale or transfer of swamp land 526, 566.
- 183. An act for the relief of pre-emptors of certain school land, 523, 566.
- 186. An act to prevent diseased animals running at large 478, 488, 644.
- 187. An act to quit claim to holders of certificates for purchase of swamp land 500, 502.
- 188. A bill for an act to grant Dubuque title to certain lands 359, 360, 621, 629, 649.
- 189. Joint Res. for additional mail facilities 477, 532.
- 190. Joint Resolution for additional mail facilities 522.
- 191. An act to authorize reg. of State land office, to convey title and issue patent for University lands 477, 488, 627, 649.
- 192. An act relating to municipal incorporat'ns, 575, 641
- 194. An act to am'd an act passed by B'd of Ed'n, Dec. 24th, 1859, 575, 580, 596, 657, 662.
- 195. An act to authorize Co. Judge of Tama Co. to pay claim of W. H. Stevens, 477, 488, 558.
- 196. An act to pay com'r of revision, 556, 559, 574, 582
- 197. Relative to payment of expenses of requisition of fugitives from justice 501, 502, 516.
- 198. An act providing for settlement of all liabilities arising from sale of lands along the Des Moines river 558, 565, 592, 596, 616.
- 199. An act authorizing construction of milldams on Nishnabotany river 523, 566.
- 200. An act amendatory of chapter 114 of the 7th General Assembly 556, 559, 569, 580.
- 202. An act authorizing County Judge of Polk County to appropriate portion of swamp lands for completion of Court House, 543, 565, 596, 622, 636.
- 204. An act respecting the taking effect of laws of 1858, respecting aliens, 500, 540, 580, 516.
- 205. An act regulating compensation of County Judges, 506, 539, 573.
- 206. An act to am'd chap. 188 acts of 6th Gen. Assembly, 523, 566.
- 207. An act to legalize levy of road tax in Mitchell County, 558, 559, 595.
- 208. An act prohibiting members of board of Supervisors from borrowing public money or dealing public property, 556, 565, 615.
- 209. An act relating Journals of Senate and House, 556, 567, 573.

Senate Files—

- 210. An act to amend chapter 160 of acts of 7th General Assembly, 572, 605, 622.
- 212. Joint Resolution for additional mail facilities, 523, 567, 636.
- 213. An act to re-apportion the State into Senatorial districts, 535, 553, 592.
- 114. An act to authorize board of directors of Clear Creek township school district, Keokuk County to collect assessment 1859, 529, 539, 560.
- 215. An act relating to State Printing, 266, 537, 614, 629, 649.
- 217. An act to enforce collection of claims of State with Winterbottom and others for criminal labor of Iowa Penitentiary, 614, 615, 650, 662, 259.
- 218. An act to apportion the State into Representative Districts, 543, 552, 616.
- 219. Joint resolution for additional mail facilities, 556, 565, 612, 622.
- 221. An act to provide for the allotment of the term of Senators, 556, 605, 566, 622.
- 222. An act providing for the revision of the laws of the session, 646, 662.
- 223. In relation to R. R. connections, 586, 648.
- 224. Confirming existing laws to the change made in the system of Co. government, 586, 601.
- 225. Providing for the submission to the people of an act to amend Gen. Banking Law, 587, 637.
- 226. Providing for payment of indebtedness of Penitentiary, 614, 617, 636.
- 227. Making appropriation for building 54 cells in the Penitentiary, 614, 615, 622, 636.
- 230. Relating to roads and highways, 622, 643, 649.
- 231. For ap't of com'r for Insane Asy'm, 622, 639, 649.
- 232. To amend an act authorizing Gen Banking Law in Iowa, 631, 632, 649.
- 233. Providing for the election and defining duties of Supreme Court Reporter, 634, 635.
- 234. Prov'd'g for tak'g effect of S. F. No. 6, 637, 649.
- 236. In relation to State Binding, 661, 663, 656, 659.

Taxes, 67, 75, 193, 207, 89, 154, 165, 174, 192.

Treasurer's Department, 43.

Township and County Organization, See House File No. 113.

